

**FRUITLAND PARK CITY COMMISSION  
REGULAR MEETING AGENDA**

**July 25, 2019**

City Hall Commission Chambers  
506 W. Berckman Street  
Fruitland Park, Florida 34731

**6:00 p.m.**

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

Invocation – Reverend Dr. Pastor George A. Mulford III, Grace Bible Baptist Church

Pledge of Allegiance – Police Chief Erik Luce

**2. ROLL CALL**

**3. LOCAL PLANNING AGENCY**

As soon as practical at 6:15 p.m., recess to the Local Planning Agency meeting

**4. CONSENT AGENDA** (city clerk)

Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a Commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s); and (3) Discuss each pulled item separately and vote.

**(a) Approval of Minutes** (city clerk)  
July 11, 2019 regular meeting

**(b) Resolution 2019-033 Planning and Zoning Chair and Vice Chair**  
(city manager/community development director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PLANNING AND ZONING BOARD CHAIR AND VICE-CHAIRMAN SELECTION FOR THE REMAINDER OF FISCAL YEAR 2018/2019 AND FISCAL YEAR 2019/2020; PROVIDING FOR AN EFFECTIVE DATE.

**5. REGULAR AGENDA**

**(a) Resolution 2019-035 - Recreation Fee Schedule** (city manager/parks and recreation director)

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING FEES FOR “ALL SPORTS”, BOTH FOR RESIDENTS AND

NON-RESIDENTS; PROVIDING FOR REPEAL, AND  
PROVIDING FOR AN EFFECTIVE DATE.

**(b) Resolution 2019-034 Proposed Millage Rate - FY 2019-20** (city treasurer/

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF 3.9134 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2019-2020 AND SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2019-2020; PROVIDING FOR AN EFFECTIVE DATE.

**PUBLIC HEARING**

**(c) Second Reading and Public Hearing - Ordinance 2019-010 Restructure Water Utility Rates** (city attorney/city treasurer)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 50.30 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO RESTRUCTURE AND ADJUST THE WATER UTILITY RATES BASED ON THE RECOMMENDATIONS FROM THE UTILITY RATE STUDY DATED JUNE 13, 2019 AND PREPARED BY BRYAN MANTZ; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on July 11, 2019.)

**(d) Second Reading and Public Hearing - Ordinance 2019-011 Restructure Wastewater Utility Rates** (city attorney/city treasurer)

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SECTION 99.60 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO RESTRUCTURE AND ADJUST THE WASTEWATER UTILITY RATES BASED ON THE RECOMMENDATIONS FROM THE UTILITY RATE STUDY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (The first reading was held on July 11, 2019.)

**END OF PUBLIC HEARING**

### **QUASI-JUDICIAL PUBLIC HEARING**

**(e) Quasi-Judicial Public Hearing – First Reading - Ordinance 2019-006 – Rezoning – Petitioner: City of Fruitland Park** (city attorney/city manager/community development director)

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM Residential Professional TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on August 8, 2019.)

### **END OF QUASI-JUDICIAL PUBLIC HEARING**

**6. OFFICERS' REPORTS**

**(a) City Manager**

- i. Economic Development Status Update**
- ii. Public Safety Building**

**(b) City Attorney**

- i. Notice of Claim – James Hartson**
- ii. Notice of Claim – Michael Fewless**
- iii. Burke's Bar-B-Q Company**

**6. PUBLIC COMMENTS**

This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the City Commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the City Commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting.

Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**7. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

**(b) Commissioner DeGrave**

**(c) Commissioner Bell**

**(d) Vice Mayor Gunter, Jr.**

**8. MAYOR'S COMMENTS**

**9. ADJOURNMENT**

**DATES TO REMEMBER**

Please note that in addition to the city commission meetings, more than one city commissioner may be present at the above-mentioned events.

August 5, 2019, Lake County Arts and Cultural Alliance, Agency for Economic Prosperity, 20763 U.S. Highway 27, Groveland, Florida 34736 at 3:00 p.m.;

August 5, 2019, Lake County Arts and Cultural Alliance, Agency for Economic Prosperity, 20763 U.S. Highway 27, Groveland, Florida 34736 at 3:00 p.m.;

August 5-7, 2019, City Commission Meeting Workshops at 6:00 p.m.;

August 8, 2019, City Commission Meeting Regular at 6:00 p.m.;

August 9, 2019, LCLC, Lake Receptions, 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m. – Cancelled;

August 9, 2019, Movie on the Lawn *Shazam*, outside City Hall at 7:00 p.m.,

August 10, 2019, City Commission Workshop at 9:00 a.m.;

August 13, 2019, Parks, Recreation and Trails Advisory Board Infrastructure Sales Tax Budget Workshop, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;

August 22, 2019, City Commission Meeting Regular at 6:00 p.m.;

August 27, 2019, Parks, Recreation and Trails Advisory Board Infrastructure Sales Tax Public Hearing, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.;

August 28, 2019, Lake-Sumter Metropolitan Planning Organization (MPO), Governing Board Meeting, MPO Office, Suite 217, 225 W. Guava Street Lady Lake, Florida 32159 at 2:00 p.m.;

September 2, 2019, Labor Day – City Offices Closed;

September 5, 2019, City Commission Meeting Regular at 6:00 p.m.;

September 9, 2019, Lake County Arts and Cultural Alliance, Agency for Economic Prosperity, 20763 U.S. Highway 27, Groveland, Florida 34736 at 3:00 p.m.;

September 13, 2019, LCLC, Lake County Sheriff Peyton Grinnell, Lake Receptions, 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;

September 19, 2019 Village Institute of Plastic Surgery Grand Opening Ribbon-Cutting, 607 CR 466A, Fruitland Park, Florida 34731 at 3:00 p.m.

September 19, 2019, City Commission Meeting Regular at 6:00 p.m.

Any person requiring a special accommodation at this meeting because of disability or physical impairment should contact the City Clerk's Office at City Hall (352) 360-6727 at least forty-eight (48) hours prior to the meeting. (§286.26 F.S.)

If a person decides to appeal any decision made by the City of Fruitland Park with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings and ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. The city does not provide verbatim records. (§286.0105, F.S.)

**PLEASE TURN OFF ELECTRONIC DEVICES OR PLACE IN VIBRATE MODE.**

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 3**

**ITEM TITLE:** Local Planning Agency (LPA) Meeting

**For the Meeting of:** July 25, 2019

**Submitted by:** City Clerk

**Date Submitted:** July 15, 2019

**Funds Required:** No

**Account Number:** N/A

**Amount Required:** N/A

**Balance Remaining:** N/A

**Attachments:** Yes, LPA Establishment

**Item Description:** LPA Establishment Ordinance 226 and Florida Statutes 163.3174

**Action to be Taken:** As soon as practical, recess to the Local Planning Agency meeting.

**Staff's Recommendation:** N/A

**Additional Comments:**

**City Manager Review:**

**Mayor Authorization:**

AN ORDINANCE OF THE (CITY ~~OF~~) OF Fruitland Park,  
FLORIDA, DESIGNATING AND ESTABLISHING THE City Commission  
AS ITS LOCAL PLANNING AGENCY PURSUANT TO THE LOCAL GOVERNMENT  
COMPREHENSIVE PLANNING ACT OF 1975 (Chapters 163.3161 - 163.3211,  
Florida Statutes); SETTING FORTH SAID AGENCY'S DUTIES AND RESPON-  
SIBILITIES; ESTABLISHING SAID AGENCY'S ORGANIZATION, RULES AND  
PROCEDURES; REQUIRING THAT ALL MEETINGS BE PUBLIC AND PROVIDING  
FOR THE KEEPING OF PUBLIC RECORDS; PROVIDING FOR FINANCIAL  
SUPPORT; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED  
INVALID; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND  
PROVIDING FOR THE EFFECTIVE DATE HEREOF. *THIS IS AN EMERGENCY  
ORDINANCE EFFECTING THE WELFARE OF THE CITIZENS.*  
BE IT ORDAINED BY THE City Commission OF  
THE (CITY ~~OF~~) OF Fruitland Park, FLORIDA:

Section 1. AUTHORITY. This ordinance is enacted pursuant to  
and in accordance with, provisions of Chapter 163, Florida  
Statutes (Local Government Comprehensive Planning Act of 1975).

Section 2. DESIGNATION AND ESTABLISHMENT OF LOCAL LAND  
PLANNING AGENCY. Pursuant to, and in accordance with, Section  
163.3174, of Florida Statutes (the Local Government Comprehen-  
sive Planning Act of 1975) the City Commission  
is hereby designated and established as the local planning  
agency for the (CA) incorporated territory of Fruitland Park,  
Florida.

Section 3. DUTIES AND RESPONSIBILITIES OF THE LOCAL PLANNING  
AGENCY. The local planning agency, in accordance with the  
Local Government Comprehensive Planning Act of 1975, Section  
163.3161-3211, Florida Statutes, shall:

- (a) Conduct the comprehensive planning program and prepare  
the comprehensive plan or elements or portions thereof  
for the (City ~~of~~) of Fruitland Park;
- (b) Coordinate said comprehensive plan or elements or portions  
thereof with the comprehensive plans of other appropriate  
local governments and the State of Florida;

- (c) Recommend said comprehensive plan or elements or portions thereof to the City Commission for adoption; and
- (d) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the City Commission such changes in the comprehensive plan as may be required from time to time.

Section 4. ORGANIZATION, RULES AND PROCEDURES OF THE AGENCY.

Members of the local planning agency shall continue to be appointed and follow such rules of procedure, methods of choosing officers, setting of public meetings, providing of financial support, and accomplishing its duties as provided in The City Charter.

Section 5. PUBLIC MEETINGS AND RECORDS. All meetings of the local planning agency shall be public meetings and all agency records shall be public records. The local planning agency shall encourage public participation.

Section 6. The City Commission shall appropriate funds at its discretion to the local planning agency for expenses necessary in the conduct of its work. The local planning agency may, in order to accomplish the purposes and activities required by the Local Government Comprehensive Planning Act of 1975, expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; provided acceptance of loans or grants must be approved by the City Commission.

Section 6. SEVERABILITY. If any word, sentence, phrase, clause, section or portion of this ordinance shall be held invalid or unconstitutional by an court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not effect the validity of the remaining portions thereof.

Section 7. REPEAL OF CONFLICTING ORDINANCES AND RESOLUTIONS.

All ordinances and resolutions of the governing body in conflict herewith are hereby repealed.



Section 8. EFFECTIVE DATE. This ordinance shall become effective immediately upon its final passage and adoption as an emergency ordinance.

PASSED AND ADOPTED BY THE City Commission OF THE (CITY ~~XXXXXXXX~~) OF Fruitland Park, FLORIDA, THIS 24 DAY OF June, A.D., 1976

Jack Deulb  
Mayor or Chairman

ATTEST:

Lori A. Lowery, City Clerk

FIRST READING: June 24, 1976

SECOND READING: Waived

THIRD READING: Waived

Select Year:

## The 2018 Florida Statutes

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[Title XI](#)  
COUNTY ORGANIZATION AND  
INTERGOVERNMENTAL RELATIONS

[Chapter 163](#)  
INTERGOVERNMENTAL  
PROGRAMS

[View Entire  
Chapter](#)

### **163.3174 Local planning agency.—**

(1) The governing body of each local government, individually or in combination as provided in s. [163.3171](#), shall designate and by ordinance establish a “local planning agency,” unless the agency is otherwise established by law. Notwithstanding any special act to the contrary, all local planning agencies or equivalent agencies that first review rezoning and comprehensive plan amendments in each municipality and county shall include a representative of the school district appointed by the school board as a nonvoting member of the local planning agency or equivalent agency to attend those meetings at which the agency considers comprehensive plan amendments and rezonings that would, if approved, increase residential density on the property that is the subject of the application. However, this subsection does not prevent the governing body of the local government from granting voting status to the school board member. The governing body may designate itself as the local planning agency pursuant to this subsection with the addition of a nonvoting school board representative. All local planning agencies shall provide opportunities for involvement by applicable community college boards, which may be accomplished by formal representation, membership on technical advisory committees, or other appropriate means. The local planning agency shall prepare the comprehensive plan or plan amendment after hearings to be held after public notice and shall make recommendations to the governing body regarding the adoption or amendment of the plan. The agency may be a local planning commission, the planning department of the local government, or other instrumentality, including a countywide planning entity established by special act or a council of local government officials created pursuant to s. [163.02](#), provided the composition of the council is fairly representative of all the governing bodies in the county or planning area; however:

(a) If a joint planning entity is in existence on the effective date of this act which authorizes the governing bodies to adopt and enforce a land use plan effective throughout the joint planning area, that entity shall be the agency for those local governments until such time as the authority of the joint planning entity is modified by law.

(b) In the case of chartered counties, the planning responsibility between the county and the several municipalities therein shall be as stipulated in the charter.

(2) Nothing in this act shall prevent the governing body of a local government that participates in creating a local planning agency serving two or more jurisdictions from continuing or creating its own local planning agency. Any such governing body which continues or creates its own local planning agency may designate which local planning agency functions, powers, and duties will be performed by each such local planning agency.

(3) The governing body or bodies shall appropriate funds for salaries, fees, and expenses necessary in the conduct of the work of the local planning agency and shall also establish a schedule of fees to be

charged by the agency. To accomplish the purposes and activities authorized by this act, the local planning agency, with the approval of the governing body or bodies and in accord with the fiscal practices thereof, may expend all sums so appropriated and other sums made available for use from fees, gifts, state or federal grants, state or federal loans, and other sources; however, acceptance of loans must be approved by the governing bodies involved.

(4) The local planning agency shall have the general responsibility for the conduct of the comprehensive planning program. Specifically, the local planning agency shall:

(a) Be the agency responsible for the preparation of the comprehensive plan or plan amendment and shall make recommendations to the governing body regarding the adoption or amendment of such plan. During the preparation of the plan or plan amendment and prior to any recommendation to the governing body, the local planning agency shall hold at least one public hearing, with public notice, on the proposed plan or plan amendment. The governing body in cooperation with the local planning agency may designate any agency, committee, department, or person to prepare the comprehensive plan or plan amendment, but final recommendation of the adoption of such plan or plan amendment to the governing body shall be the responsibility of the local planning agency.

(b) Monitor and oversee the effectiveness and status of the comprehensive plan and recommend to the governing body such changes in the comprehensive plan as may from time to time be required, including the periodic evaluation and appraisal of the comprehensive plan required by s. [163.3191](#).

(c) Review proposed land development regulations, land development codes, or amendments thereto, and make recommendations to the governing body as to the consistency of the proposal with the adopted comprehensive plan, or element or portion thereof, when the local planning agency is serving as the land development regulation commission or the local government requires review by both the local planning agency and the land development regulation commission.

(d) Perform any other functions, duties, and responsibilities assigned to it by the governing body or by general or special law.

(5) All meetings of the local planning agency shall be public meetings, and agency records shall be public records.

**History.**—s. 6, ch. 75-257; s. 1, ch. 77-223; s. 5, ch. 85-55; s. 2, ch. 92-129; s. 9, ch. 95-310; s. 9, ch. 95-341; s. 1, ch. 2002-296; s. 10, ch. 2011-139; s. 2, ch. 2012-99.

**CITY OF FRUITLAND PARK  
CONSENT AGENDA ITEM SUMMARY SHEET  
Item Number: 4-b**

<b>ITEM TITLE:</b>	<b>Draft Regular Meeting Minutes and Resolution</b>
<b>For the Meeting of:</b>	July 25, 2019
<b>Submitted by:</b>	City Clerk/City Attorney/City Manager/Community Development Director
<b>Date Submitted:</b>	<b>July 15, 2019</b>
<b>Funds Required:</b>	No
<b>Account Number:</b>	N/A
<b>Amount Required:</b>	N/A
<b>Balance Remaining:</b>	N/A
<b>Attachments:</b>	Yes (draft minutes and proposed resolution)

**Item Description:** Routine items and items not anticipated to be controversial are placed on the Consent Agenda to expedite the meeting. If a commissioner, staff member or member of the public wish to discuss any item, the procedure is as follows: (1) Pull the item(s) from the Consent Agenda; (2) Vote on remaining item(s), and (3) Discuss each pulled item separately and vote

- a. Approve the July 11, 2019 regular meeting minutes as submitted if there are no corrections.
  
- b. Adopt Resolution 2019-033 of the City Commission of the City of Fruitland Park, Florida, approving the Planning and Zoning Board Chair and Vice-Chair selection for the remainder of Fiscal Year 2018-19 and Fiscal Year 2019-2020; providing for an effective date.

<b>Action to be Taken:</b>	<b>Approve the consent agenda.</b>
<b>Staff's Recommendation:</b>	Approval
<b>Additional Comments:</b>	At the July 18, 2019 P&Z Board meeting Mr. Al Goldberg was elected as chairman and Philip Purlee was re-elected as Vice Chairman.

**City Manager Review:**  
**Mayor Authorization:**

**FRUITLAND PARK CITY COMMISSION REGULAR  
DRAFT MEETING MINUTES  
July 11, 2019**

A regular meeting of the Fruitland Park City Commission was held at 506 W. Berckman Street, Fruitland Park, Florida 34731 on Thursday, July 11, 2019 at 6:00 p.m.

**Members Present:** Mayor Chris Cheshire, Vice Mayor John L. Gunter, Jr., Commissioners Christopher Bell, Patrick DeGrave and John Mobilian,

**Also Present:** City Manager Gary La Venia; Sandy Minkoff representing the City Attorney; City Treasurer Jeannine Racine; Police Chief Erik Luce, Interim Fire Chief Donald Gilpin, Deputy Fire Chief Tim Yoder, Fire Department; Public Works Director Dale Bogle; Community Development Director Tracy Kelley; Human Resources Director Diana Kolcun, Library Assistant Library Director Terry Dohrn, and City Clerk Esther B. Coulson.

**1. CALL TO ORDER, INVOCATION AND PLEDGE OF ALLEGIANCE**

**ACTION:** 6:10:00 PM Mayor Cheshire called the meeting to order, Reverend Dr. Pastor George A. Mulford III, Grace Bible Baptist Church, gave the invocation, and Police Chief Luce led in the Pledge of Allegiance to the flag.

**2. ROLL CALL**

**ACTION:** 6:10:52PM At Mayor Cheshire's request, Ms. Coulson called the roll and a quorum was declared present.

**3. CONSENT AGENDA**

**(a) Approval of Minutes**

June 24, 2019 workshop and June 27, 2019 regular meeting minutes as submitted.

**(b) Resolution 2019-027 Leesburg Aquatics Club Inc. - Agreement**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE AGREEMENT BETWEEN LEESBURG AQUATICS CLUB, INC. AND THE CITY OF FRUITLAND PARK FOR USE OF GARDENIA PARK SWIMMING POOL; PROVIDING FOR AN EFFECTIVE DATE.

**(c) Resolution 2019-029 Provision of Library Services ILA**

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING AN INTERLOCAL AGREEMENT BETWEEN LAKE COUNTY, FLORIDA AND THE CITY OF FRUITLAND PARK, FLORIDA RELATING TO PROVISION OF LIBRARY SERVICES; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION: 6:11:06 PM On motion of Commissioner Mobilian, seconded by Vice Mayor Gunter and unanimously carried, the city commission approved the consent agenda as previously cited.**

**4. REGULAR AGENDA**

**(a) Proposed Recreational Vehicle Park Discussion**

At Mr. La Venia's request, Mr. Greg Beliveau, LPG Urban Planners Inc., acknowledged the recent request for a proposed recreational vehicle (RV) park resort as tourist commercial. Mr. Beliveau recognized the city's option of designating same as a small or large scale (C-2) category by a special exception use rezoning process before the technical advisory committee, the Planning and Zoning Board and ultimately the city commission and addressed the only alternative is to create a special zoning category for an RV park. He referred to the list of criteria on the proposed comprehensive plan text amendment including Lake County's current review of alternative uses in incorporating old mobile home park models and tiny homes into RV parks. (A copy of the list in question is filed with the supplemental papers to the minutes of this meeting.)

After discussion, Mr. Beliveau agreed with Mr. La Venia's suggestion for the city commission to review at a workshop (Chapter 155) the land development regulations (LDRs), before making a determination on a location and whether the RV concept would be conducive for the city prior to incorporating same into the comprehensive plan.

**ACTION: 6:11:49 PM The city commission took no action on the proposed recreational vehicle park concept. By unanimous consent, the city commission agreed to hold workshops on the land development regulations on Saturdays, August 3 and 10, 2019.**

**(b) Resolution 2019-030 - Library – Gardenia Café Agreement – K&M Creative Catering LLC**

Mr. Minkoff read into the record Resolution 2019-030, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE LEASE AGREEMENT BETWEEN K & M CREATIVE CATERING, LLC AND THE CITY OF FRUITLAND PARK FOR OPERATING A CAFÉ WITHIN THE FRUITLAND PARK LIBRARY; PROVIDING FOR AN EFFECTIVE DATE.

Mses. Kathy Weaver, Michelle Tackling and Kimberly Mullins, K & M Creative Catering LLC, confirmed in the affirmative to Mr. La Venia's inquiry that they are satisfied with the subject agreement.

**ACTION: 6:30:09 PM After discussion, a motion was made by Vice Mayor Gunter and seconded by Commissioner Mobilian that the city commission adopt Resolution 2019-030 as previously cited subject to K & M Creative Catering LLC owners, officers and employees receiving background checks**

**and the completion of the language under subsections 21.2 and 21.3, dispute resolution as outlined in the agreement.**

**Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.**

- (c) Resolution 2019-025 - Water and Wastewater Proposal/Agreement – BESH**  
Mr. Minkoff read into the record Resolution 2019-025, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING THE CIVIL ENGINEERING SERVICES PROPOSAL/ AGREEMENT FOR WATER AND WASTEWATER MASTER PLAN BETWEEN BESH AND THE CITY OF FRUITLAND PARK; PROVIDING FOR AN EFFECTIVE DATE. (Postponed from the June 27, 2019 regular meeting.)

In referencing an additional change, Mr. La Venia pointed out the language requested to be stricken under subsection III.C., Waiver agreeable to Booth, Ern, Straughan & Hiott, Inc. (BESH).

**ACTION: 6:34:39 PM After discussion, a motion was made by Commissioner DeGrave and seconded by Commissioner Bell that the city commission adopt Resolution 2019-025, as previously cited, with the provision in the subject agreement to strike language in its entirety under subsection III.C., Waiver.**

**Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.**

- (d) Resolution 2019-032 – Utility Rate Study Adoption**  
Mr. Minkoff read into the record Resolution 2019-032, the substance of which is as follows:

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, ADOPTING UTILITY RATE STUDY DATED JUNE 13, 2019 AND PREPARED BY GOVRATES, INC.; PROVIDING FOR AN EFFECTIVE DATE.

**ACTION: 6:38:11 PM After discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission adopt Resolution 2019-032 as previously cited.**

**Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:**

<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Commissioner Bell</b>	<b>No</b>
<b>Commissioner Mobilian</b>	<b>Yes</b>
<b>Commissioner DeGrave</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**The motion was declared carried on a four-to-one (4-1) vote.**

### **PUBLIC HEARING**

**By unanimous consent, Mayor Cheshire opened this evening's public hearings.**

**(e) Resolution 2019-028 - Proposed Fire Assessment**

After Mr. Minkoff read into the record Resolution 2019-028, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

:

A RESOLUTION OF THE CITY OF FRUITLAND PARK, FLORIDA, RELATING TO THE PROVISION OF FIRE SERVICES THROUGHOUT THE CITY OF FRUITLAND PARK; ESTABLISHING THE ESTIMATED ASSESSMENT RATE FOR FIRE SERVICES ASSESSMENT FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; DIRECTING THE PREPARATION OF AN ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. (The final fire assessment will be considered at the September 5, 2019 regular meeting.)

Mr. La Venia and Mayor Cheshire explained, in response to questions posed by Mr. William Edgabear, City of Fruitland Park resident, the comparative rates for the City of Fruitland Park and The Villages of Fruitland Park (VOFP).

Mr. Jeffrey T. Bryan, City of Fruitland Park resident, questioned the city's boundaries and the fire departments.

**ACTION:** 6:39:59 PM Earlier in the meeting and after discussion, a motion was made by Vice Mayor Gunter and seconded by Commissioner DeGrave that the city commission adopt Resolution 2019-028 as previously cited.

**By unanimous consent, Mayor Cheshire closed the public hearing.**

**Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:**



<b>Commissioner Mobilian</b>	<b>Yes</b>
<b>Commissioner DeGrave</b>	<b>Yes</b>
<b>Commissioner Bell</b>	<b>No</b>
<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**The motion was declared carried on a four-to-one (4-1) vote.**

**(f) First Reading – Ordinance 2019-010 Restructure Water Utility Rates**

After Mr. Minkoff read into the record proposed Ordinance 2019-010, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 50.30 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO RESTRUCTURE AND ADJUST THE WATER UTILITY RATES BASED ON THE RECOMMENDATIONS FROM THE UTILITY RATE STUDY DATED JUNE 13, 2019 AND PREPARED BY BRYAN MANTZ; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on July 25, 2019.)

Ms. Racine reviewed the proposed changes and referred to the lists reflecting the residential water and wastewater bill comparisons, copies of which are filed with the supplemental papers to the minutes of this meeting.

Mr. Carl Yauk, VOFP resident, pointed out the utility rate study's proposed water rate increase; gave his opinion where he believed it would be 94% after three years, and proposed the projection of cost savings for sewer grinder pumps and components to which Mayor Cheshire suggested that Mr. Bogle review the type of quality and capacity of the model pumps.

**ACTION:** 6:47:06 PM Earlier in the meeting and after much discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission approve proposed Ordinance 2019-010 as previously cited.

**By unanimous consent, Mayor Cheshire closed the public hearing.**

**Mayor Cheshire called for a roll call vote on the motion with the city commission members voting as follows:**

<b>Commissioner Bell</b>	<b>No</b>
<b>Commissioner Mobilian</b>	<b>Yes</b>
<b>Commissioner DeGrave</b>	<b>Yes</b>
<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**The motion was declared carried on a four-to-one (4-1) vote.**

**(g) First Reading – Ordinance 2019-011 Restructure Wastewater Utility Rates**

Mr. Minkoff read into the record proposed 2019-011, the substance of which is as follows:

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SECTION 99.60 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO RESTRUCTURE AND ADJUST THE WASTEWATER UTILITY RATES BASED ON THE RECOMMENDATIONS FROM THE UTILITY RATE STUDY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on July 25, 2019.)

After Mr. Yauk referred to the Utility Rate Study reflecting 25% of utility customers utilizing water and wastewater service and questioned whether the revenue the city would generate and if it would be mandatory for all new developments to connect to same.

In concurring, Mr. La Venia noted that new construction would be mandatory; the city would be reviewing the utilization of the impact fee credit structure as it relates to construction whereby the developer would bear the cost of the connection previously discussed and addressed the need to review same at the future LDR workshop as it relates to water and wastewater.

Mr. Bryan expressed concerns on the requirements in obtaining permits for septic tanks if wastewater treatment service is available.

**ACTION:** 7:05:51 PM Earlier in the meeting and after discussion, **a motion was made by Commissioner DeGrave and seconded by Commissioner Mobilian that the city commission approve proposed Ordinance 2019-011 as previously cited.**

<b>Vice Mayor Gunter</b>	<b>Yes</b>
<b>Commissioner Bell</b>	<b>No</b>

<b>Commissioner Mobilian</b>	<b>Yes</b>
<b>Commissioner DeGrave</b>	<b>Yes</b>
<b>Mayor Cheshire</b>	<b>Yes</b>

**The motion was declared carried on a four-to-one (4-1) vote.**

### **QUASI-JUDICIAL PUBLIC HEARING**

**(h) Quasi-Judicial Public Hearing – Second Reading - Ordinance 2019-004 – Rezoning – Petitioner: DGI Properties LLC**

It now being the time advertised to hold a public hearing, and after Mr. Minkoff read into the record proposed Ordinance 2019-004, the substance of which is as follows, Mayor Cheshire called for interested parties to be heard:

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 0.23 + ACRES OF THE PROPERTY FROM GENERAL COMMERCIAL (C-2) TO RESIDENTIAL PROFESSIONAL (RP) WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENERS ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE. (The second reading will be held on July 11, 2019.)

Ms. Kelley, sworn in by Mr. Minkoff described, the subject item.

**ACTION: 7:13:55 PM A motion was made by Commissioner Mobilian and seconded by Commissioner Bell that the city commission enact proposed Ordinance 2019-004, as previously cited, to become effective immediately as provided by law.**

**There being no one from the public, and by unanimous consent, Mayor Cheshire closed the public hearing.**

**Mayor Cheshire called for a roll call vote on the motion and declared it carried unanimously.**

**END OF QUASI-JUDICIAL PUBLIC HEARING**

**END OF PUBLIC HEARING**

**5. OFFICERS' REPORTS**

**(a) City Manager**

**i. Economic Development Status Update – Florida Medical Industries Inc.**

Mr. La Venia acknowledged the presence of Mr. Michael “Mike” Whiting, the first lien holder on Florida Medical Industries Inc. (the glass thermometer manufacturing company) who has taken possession of the property.

Mr. Whiting, State of Illinois resident, explained his acquisition of the subject property from the original owner, addressed his plan to clear and demolish two of the three existing structures within 30 days and maintain and secure the premises until it is sold. He requested the city’s assistance where no action has taken place since 2016 from the previous owner

**ACTION: 7:17:24 PM After much discussion, a motion was made by Commissioner Mobilian and seconded by Commissioner DeGrave that the city commission accepted the request of the petitioner, Mr. Michael Whiting, Florida Medical Industries Inc., property owner, that the Special Magistrate:**

- **reconsider the findings of fact, conclusions of law issued on Florida Medical Industries Inc. properties;**
- **nullify the order of fine accrued on the subject property for non-compliance due to the existing violations under the city’s code of ordinances;**
- **release the property acknowledging compliance after the property has been cleared, repaired and brought into compliance, and**
- **require the property owner to be responsible for the costs to the City of Fruitland Park associated with the order.**

After discussion, **Mayor Cheshire called for a vote on the motion and declared it carried unanimously carried.** (The petitioner agreed with the city manager’s request to meet with the community development director to obtain a tree permit.)

**ii. Telephone System Prices and Network Security Access Gateway (SonicWall Agreement) Discussion**

Mr. La Venia reported on staff’s current review of the city’s existing telephone system; allayed concerns regarding the three-year agreement for network security, firewall appliance with SonicWall where assurance was received that the associated costs will remain the same if it is renewed, and relayed preliminary discussions on the plan to renew the agreement when it expires with the intention of implementing a new telephone system, fiber-optic cable and retaining an internet provider.

In response to Mayor Cheshire's inquiry, Mr. La Venia indicated that staff will review other protections; communicate with other providers to determine the need for another layer of protection and report back to the city commission at a future meeting.

ACTION: 7:29:54 PM No action was taken.

- iii. **Electronic Signs and Monument Quotes – New Fruitland Park Library**  
Mr. La Venia addressed the quotes for placement of a double-sided full color electronic sign video board to be installed inside a custom monument structure in front of the new Fruitland Park Library facing Berckman Street from the following companies and recognized the presence of Mr. Brian Whitehead, GoBrightLEDs:

- GoBrightLEDs for \$21,500,
- Mid-Florida Signs & Graphics for \$29,076, and
- Signs Plus New Ideas – New Technology Inc. for \$39,158

ACTION: 7:35:43 PM After extensive discussions, **and on motion of Commissioner DeGrave, seconded by Commissioner Moblian and unanimously carried, the city commission approved the city manager's recommendation to select GoBright LED as the lowest, responsive and responsible bidder for \$21,500 and approved the electronic sign to reflect: "City of Fruitland Park Municipal Complex with the windmill logo".**

- iv. **Pump – Chelsea's Run Lift Station**

Mr. La Venia reported on the city's recent expenditure of \$6,700 to replace the 2006 hydromatic pump at the lift station located at Chelsea's Run with the intent to retain, rebuild and utilize same after the FY 2019/20 budget cycle.

ACTION: 7:55:57 PM For informational purposes.

(b) **City Attorney**

Mr. Minkoff announced that he has nothing to report on the following items.

- i. **Notice of Claim – James Hartson**
- ii. **Notice of Claim – Michael Fewless**
- iii. **Burke's Bar B Q Co**
- iv. **FMAA Annual Conference**

ACTION: 6:20:22 PM. No action was necessary

**6. PUBLIC COMMENTS**

Mr. Yauk questioned and commented on Mr. La Venia's reports addressed earlier this evening, under item 5.(a):

- the State of Florida Department of Environmental Protection agency's involvement with Florida Medical Industries Inc.
- whether expertise was attained from the state as it relates to Ransomware investigations;
- reasons why he is in agreement that utilities should be self-funded and recommended that the 18 percent ought to be cut back to the city's requirements, and
- expressed preference that monies be spent wisely and utilized towards solar power on the library's roof and other potential city buildings and a plain electronic sign which would reduce costs.

Since being in operation for approximately a month, Ms. Kerry Blevins, Village Institute of Plastic Surgery, extended an invitation for the city commission and the community to attend its grand opening on Thursday, September 19, 2019 at 3:00 p.m.

In response to Mr. Bryon's inquiry, Mr. Bogle identified areas where landscape maintenance has been conducted by staff on the city's roadways and sidewalks.

ACTION: 7:47:40 PM. No action was necessary

**7. COMMISSIONERS' COMMENTS**

**(a) Commissioner Mobilian**

Commissioner Mobilian stated that he has no comments at this time.

ACTION: 7:53:10 PM. No action was taken.

**(b) Commissioner DeGrave**

Commissioner DeGrave stated that he has no comments at this time.

ACTION: 7:53:15 PM. No action was taken.

**(c) Commissioner Bell**

Commissioner Bell referred to the July 8, 2019 Tourist Development Council (TDC) meeting he attended; recognized its composition and the determination, on the expenditure of available TDC funds earmarked towards the event sponsorships program, operational costs or reimburse advertising costs to Lake County event organizers. He referred to the total amount paid towards the program for FY 2018/19; recognized the forthcoming (TDC Capital Project Learning Session) training dates where local city-event coordinators can apply for funds and noted that it would behoove the city if a representative could attend.

ACTION: 7:53:20 PM. No action was taken.

**(d) Vice Mayor Gunter, Jr.**

Vice Mayor Gunter stated that he has no comments at this time.

ACTION: 7:55:18 PM. No action was taken.

**8. MAYOR'S COMMENTS - Dates to Remember**

**Dates to Remember**

Mayor Cheshire announced the following event dates:

- July 12, 2019, Lake County League of Cities (LCLC), "Update on 2019 Legislative Session", Lake Legislative Delegation, Lake Receptions, 4425 N Highway 19-A, Mount Dora, Florida 32757 at 12:00 p.m.;
- July 12, 2019, Movie on the Lawn Bumblebee, outside City Hall at 7:00 p.m.,
- July 19, 2019, New Fruitland Park Library Grand Opening, 11:00 a.m.,
- July 25, 2019, City Commission Meeting Regular at 6:00 p.m.;
- July 29, 2019 Lake County Parks, Recreation and Trails Advisory Board, Office of Parks and Trails Conference Room, 2401 Woodlea Road, Tavares, Florida 32778 at 3:30 p.m.
  
- August 5-7, 2019, City Commission Meeting Workshops at 6:00 p.m., and
- August 8, 2019, City Commission Meeting Regular at 6:00 p.m.

ACTION: 7:55:21 PM. For informational purposes.

**9. ADJOURNMENT**

**There being no further business to come before the city commission, the meeting adjourned at 7:58 p.m.**

The minutes were approved at the July 25, 2019 regular meeting.

Signed \_\_\_\_\_  
Esther B. Coulson, City Clerk

Signed \_\_\_\_\_  
Chris Cheshire, Mayor

**RESOLUTION 2019-033**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, APPROVING THE PLANNING AND ZONING BOARD CHAIR AND VICE-CHAIRMAN SELECTION FOR THE REMAINDER OF FISCAL YEAR 2018/2019 AND FISCAL YEAR 2019/2020; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, annually the planning and zoning board is required to select from among its membership a chairman and vice-chairman; and

**WHEREAS**, the planning and zoning board has selected Al Goldberg to serve as chairman and Philip Purlee to continue to serve as vice-chairman; and

**WHEREAS**, in accordance with Sec. 31-29(c) of the City of Fruitland Park Code of Ordinances the selection to these positions is subject to the approval of the City Commission.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

Section 1. The Commission approves Al Goldberg to serve as chairman and Philip Purlee to serve as vice-chairman of the planning and zoning board.

Section 2. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 25th day of July, 2019, by the City Commission of the City of Fruitland Park, Florida.

City of Fruitland Park

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Chris Cheshire, Mayor

Attest:  
Esther B. Coulson, City Clerk

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Mayor Cheshire \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Vice Mayor Gunter \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Bell \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner DeGrave \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Mobilian \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 5a**

<b>ITEM TITLE:</b>	<b>Resolution 2019-035 Recreation Fees</b>
<b>For the Meeting of:</b>	July 25, 2019
<b>Submitted by:</b>	<b>City Attorney/City Manager/Parks and Recreation Director</b>
<b>Date Submitted:</b>	<b>July 19, 2019</b>
<b>Funds Required:</b>	No
<b>Account Number:</b>	N/A
<b>Amount Required:</b>	N/A
<b>Balance Remaining:</b>	N/A
<b>Attachments:</b>	<b>Yes, Resolution</b>

**Item Description:**

Proposed changes to the recreation fee schedule, Section 99.90 of the city code.

**Action to be Taken:**                      **Adopt Resolution 2019-035**

**Staff's Recommendation:**              Approval

**Additional Comments:**

**City Manager Review:**

**Mayor Authorization:**

**RESOLUTION 2019-035**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING FEES FOR “ALL SPORTS”, BOTH FOR RESIDENTS AND NON-RESIDENTS; PROVIDING FOR REPEAL, AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City is authorized pursuant to Chapter 166, Florida Statutes and Sec. 99.90 of the City of Fruitland Park Code of Ordinances to establish fees for services offered; and

**WHEREAS**, the City Commission desires to recover expenses in providing services; and

**WHEREAS**, the City Commission of the City of Fruitland Park, Florida, has determined these expenses should be passed on to the users.

**THEREFORE BE IT RESOLVED** by the City Commission of the City of Fruitland Park, Florida, as follows:

1. The above recitals are true and correct and, by this reference, are hereby incorporated into and made an integral part of this resolution.
2. The City Commission hereby adopts the following fees:

All Sports	Resident	\$40.00
	Non-Resident	\$40.00
3. Fees in conflict with the provisions of this resolution are hereby repealed.
4. This resolution shall be effective immediately upon adoption.

PASSED AND RESOLVED this \_\_\_\_ day of \_\_\_\_\_, 2019, by the City Commission of the City of Fruitland Park, Florida.

SEAL

CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA

\_\_\_\_\_  
CHRIS CHESHIRE, MAYOR

ATTEST:

\_\_\_\_\_  
ESTHER COULSON, CITY CLERK

Mayor Cheshire \_\_\_\_\_(Yes), \_\_\_\_\_(No), \_\_\_\_\_(Abstained), \_\_\_\_\_(Absent)  
Vice Mayor Gunter \_\_\_\_\_(Yes), \_\_\_\_\_(No), \_\_\_\_\_(Abstained), \_\_\_\_\_(Absent)  
Commissioner Bell \_\_\_\_\_(Yes), \_\_\_\_\_(No), \_\_\_\_\_(Abstained), \_\_\_\_\_(Absent)  
Commissioner DeGrave \_\_\_\_\_(Yes), \_\_\_\_\_(No), \_\_\_\_\_(Abstained), \_\_\_\_\_(Absent)  
Commissioner Mobilian \_\_\_\_\_(Yes), \_\_\_\_\_(No), \_\_\_\_\_(Abstained), \_\_\_\_\_(Absent)  
Approved as to form:

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Anita Geraci-Carver, City Attorney

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 5b**

**ITEM TITLE:** Resolution 2019-034 Proposed Millage FY2020 3.9134

**For the Meeting of:** July 25, 2019

**Submitted by:** City Treasurer

**Date Submitted:** July 17, 2019

**Funds Required:**

**Attachments:** Yes – DR-420, MM-P, TIF Certified

**Item Description:** The City of Fruitland Park Commission is required by law to establish the proposed operating millage in accordance with the Truth-In-Millage (TRIM) requirements set forth in Chapter 200 of the Florida Statutes. Once the proposed rate is established, the Commission cannot exceed that rate, unless, each taxpayer is mailed a revised TRIM notice at the expense of Fruitland Park. By utilizing the same millage as last year 3.9134, the City will generate an additional \$83,136 over the roll-back rate of 3.7965 which is a 3.08% increase over the roll-back rate. Below is a recap of voting requirements related to millage rate and the revenue it would generate:

Rate	Millage Rate	95% Revenue	Required Votes	Increase	Increase over Proposed
Proposed rate	3.9134	2,783,103	3	254,733	0
Roll-back rate	3.7965	2,699,967	3	171,597	-83,136
Majority Maximum	3.9860	2,983,931	3	306,364	51,631
2/3 Maximum	4.3846	3,282,324	4	589,837	335,105

**Action to be Taken:** Approve Resolution 2019-034

**Staff's Recommendation:** Approval

**Additional Comments:**

**City Manager Review:**

**Mayor Authorization:**

## RESOLUTION 2019-034

### **A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA, ADOPTING A NOT TO EXCEED MILLAGE RATE OF 3.9134 LEVYING OF AD VALOREM TAXES FOR FISCAL YEAR 2019-2020 AND SETTING THE DATE, TIME AND PLACE OF PUBLIC HEARING ON THE BUDGET FOR FISCAL YEAR 2019-2020; PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice, a public hearing will be held at the City of Fruitland Park, Lake County, Florida, on September 5, 2019 at 6:00 p.m., at which time the general public will be given an opportunity to comment and ask questions pertaining to the tentative budget and millage rate; and

WHEREAS, pursuant to section 200.065, Florida Statutes, after proper notice a second public hearing will be held at the City of Fruitland Park on September 19, 2019, at 6:00 p.m. at which time the general public will be given an opportunity to comment and ask questions pertaining to the proposed final budget and millage rate; and

WHEREAS, the gross taxable value for operating purposes not exempt from taxation within Lake County has been certified by the county property appraiser to the City of Fruitland Park as \$748,602,879.

WHEREAS, the City of Fruitland Park is prepared to set a proposed millage rate of 3.9134 mills; and

WHEREAS, the FY2020 operating proposed millage rate of 3.9134 mills is a 3.08% increase to the current year rolled-back rate of 3.7965.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA that:

1. The City Commission of the City of Fruitland Park, Florida does hereby ratify and set the proposed not to exceed ad valorem millage rate for the City of Fruitland Park, Lake County, Florida, for the fiscal year 2019-2020 at 3.9134 mills, which is greater than the rolled back of 3.7965 mills by 3.08%.
2. The tentative millage and budget hearings will be held on September 5, 2019, at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
3. The final millage and budget hearings will be held on September 19, 2019 at 6:00 p.m. in the Commission Chambers at City Hall located at 506 W. Berckman Street, Fruitland Park. FL.
4. This resolution shall take effect immediately upon its final adoption by the City Commission of the City of Fruitland Park, Florida.

PASSED AND RESOLVED this 25<sup>th</sup> day of July 2019, at 6:00 p.m., or as soon thereafter,  
by the City Commission of the City of Fruitland Park, Florida.

\_\_\_\_\_  
Chris Cheshire, Mayor  
City of Fruitland Park

Attest:

\_\_\_\_\_  
Esther B. Coulson, CMC, City Clerk

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner DeGrave	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Mobilian	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

First Reading \_\_\_\_\_

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney



# CERTIFICATION OF TAXABLE VALUE

Reset Form

Print Form

DR-420  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year : 2019	County : LAKE
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority : CITY OF FRUITLAND PARK

## SECTION I : COMPLETED BY PROPERTY APPRAISER

1.	Current year taxable value of real property for operating purposes	\$	740,198,366	(1)
2.	Current year taxable value of personal property for operating purposes	\$	8,404,513	(2)
3.	Current year taxable value of centrally assessed property for operating purposes	\$	0	(3)
4.	Current year gross taxable value for operating purposes <i>(Line 1 plus Line 2 plus Line 3)</i>	\$	748,602,879	(4)
5.	Current year net new taxable value (Add new construction, additions, rehabilitative improvements increasing assessed value by at least 100%, annexations, and tangible personal property value over 115% of the previous year's value. Subtract deletions.)	\$	35,942,524	(5)
6.	Current year adjusted taxable value <i>(Line 4 minus Line 5)</i>	\$	712,660,355	(6)
7.	Prior year FINAL gross taxable value from prior year applicable Form DR-403 series	\$	680,084,533	(7)
8.	Does the taxing authority include tax increment financing areas? If yes, enter number of worksheets (DR-420TIF) attached. If none, enter 0	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Number 2 (8)
9.	Does the taxing authority levy a voted debt service millage or a millage voted for 2 years or less under s. 9(b), Article VII, State Constitution? If yes, enter the number of DR-420DEBT, <i>Certification of Voted Debt Millage</i> forms attached. If none, enter 0	<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO	Number 0 (9)

<b>Property Appraiser Certification</b>	I certify the taxable values above are correct to the best of my knowledge.		
<b>SIGN HERE</b>	Signature of Property Appraiser:		Date :
	Electronically Certified by Property Appraiser		6/28/2019 4:24 PM

## SECTION II : COMPLETED BY TAXING AUTHORITY

If this portion of the form is not completed in FULL your taxing authority will be denied TRIM certification and possibly lose its millage levy privilege for the tax year. If any line is not applicable, enter -0-.

10.	Prior year operating millage levy <i>(If prior year millage was adjusted then use adjusted millage from Form DR-422)</i>		3.9134	per \$1,000 (10)
11.	Prior year ad valorem proceeds <i>(Line 7 multiplied by Line 10, divided by 1,000)</i>	\$	2,661,443	(11)
12.	Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value <i>(Sum of either Lines 6c or Line 7a for all DR-420TIF forms)</i>	\$	134,239	(12)
13.	Adjusted prior year ad valorem proceeds <i>(Line 11 minus Line 12)</i>	\$	2,527,204	(13)
14.	Dedicated increment value, if any <i>(Sum of either Line 6b or Line 7e for all DR-420TIF forms)</i>	\$	46,998,997	(14)
15.	Adjusted current year taxable value <i>(Line 6 minus Line 14)</i>	\$	665,661,358	(15)
16.	Current year rolled-back rate <i>(Line 13 divided by Line 15, multiplied by 1,000)</i>		3.7965	per \$1000 (16)
17.	Current year proposed operating millage rate		3.9134	per \$1000 (17)
18.	Total taxes to be levied at proposed millage rate <i>(Line 17 multiplied by Line 4, divided by 1,000)</i>	\$	2,929,583	(18)



19.	TYPE of principal authority (check one)	<input type="checkbox"/> County	<input type="checkbox"/> Independent Special District	(19)
		<input checked="" type="checkbox"/> Municipality	<input type="checkbox"/> Water Management District	
20.	Applicable taxing authority (check one)	<input checked="" type="checkbox"/> Principal Authority	<input type="checkbox"/> Dependent Special District	(20)
		<input type="checkbox"/> MSTU	<input type="checkbox"/> Water Management District Basin	
21.	Is millage levied in more than one county? (check one)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(21)

<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>		<b>STOP HERE - SIGN AND SUBMIT</b>
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22.	Enter the total adjusted prior year ad valorem proceeds of the principal authority, all dependent special districts, and MSTUs levying a millage. <i>(The sum of Line 13 from all DR-420 forms)</i>	\$	2,527,204	(22)
23.	Current year aggregate rolled-back rate <i>(Line 22 divided by Line 15, multiplied by 1,000)</i>		3.7965 per \$1,000	(23)
24.	Current year aggregate rolled-back taxes <i>(Line 4 multiplied by Line 23, divided by 1,000)</i>	\$	2,842,071	(24)
25.	Enter total of all operating ad valorem taxes proposed to be levied by the principal taxing authority, all dependent districts, and MSTUs, if any. <i>(The sum of Line 18 from all DR-420 forms)</i>	\$	2,929,583	(25)
26.	Current year proposed aggregate millage rate <i>(Line 25 divided by Line 4, multiplied by 1,000)</i>		3.9134 per \$1,000	(26)
27.	Current year proposed rate as a percent change of rolled-back rate <i>(Line 26 divided by Line 23, minus 1, multiplied by 100)</i>		3.08 %	(27)

<b>First public budget hearing</b>	Date : 9/5/2019	Time : 6:00 PM EST	Place : Fruitland Park Commission Chambers 506 W. Berckman St, Fruitland Park, FL 34731
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<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.		
	Signature of Chief Administrative Officer :			Date :	
	Title : GARY LAVENIA CITY MGR		Contact Name and Contact Title : Jeannine Racine, CITY FINANCE DIRECTOR		
	Mailing Address : 506 W BERCKMAN ST		Physical Address : 506 W BERCKMAN ST		
	City, State, Zip : FRUITLAND PARK, FL 34731		Phone Number : 352-360-6545		Fax Number : 352-360-6686



Reset Form


Print Form

## MAXIMUM MILLAGE LEVY CALCULATION PRELIMINARY DISCLOSURE

For municipal governments, counties, and special districts

DR-420MM-P  
R. 5/12  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

Year: <b>2019</b>	County: LAKE		
Principal Authority: CITY OF FRUITLAND PARK	Taxing Authority: CITY OF FRUITLAND PARK		
1. Is your taxing authority a municipality or independent special district that has levied ad valorem taxes for less than 5 years?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	(1)
<b>IF YES,  STOP HERE. SIGN AND SUBMIT. You are not subject to a millage limitation.</b>			
2. Current year rolled-back rate from Current Year Form DR-420, Line 16	3.7965	per \$1,000	(2)
3. Prior year maximum millage rate with a majority vote from <b>2018</b> Form DR-420MM, Line 13	3.9709	per \$1,000	(3)
4. Prior year operating millage rate from Current Year Form DR-420, Line 10	3.9134	per \$1,000	(4)
<b>If Line 4 is equal to or greater than Line 3, skip to Line 11. If less, continue to Line 5.</b>			
<b>Adjust rolled-back rate based on prior year majority-vote maximum millage rate</b>			
5. Prior year final gross taxable value from Current Year Form DR-420, Line 7	\$	680,084,533	(5)
6. Prior year maximum ad valorem proceeds with majority vote <i>(Line 3 multiplied by Line 5 divided by 1,000)</i>	\$	2,700,548	(6)
7. Amount, if any, paid or applied in prior year as a consequence of an obligation measured by a dedicated increment value from Current Year Form DR-420 Line 12	\$	134,239	(7)
8. Adjusted prior year ad valorem proceeds with majority vote <i>(Line 6 minus Line 7)</i>	\$	2,566,309	(8)
9. Adjusted current year taxable value from Current Year form DR-420 Line 15	\$	665,661,358	(9)
10. Adjusted current year rolled-back rate <i>(Line 8 divided by Line 9, multiplied by 1,000)</i>	3.8553	per \$1,000	(10)
<b>Calculate maximum millage levy</b>			
11. Rolled-back rate to be used for maximum millage levy calculation <i>(Enter Line 10 if adjusted or else enter Line 2)</i>	3.8553	per \$1,000	(11)
12. Adjustment for change in per capita Florida personal income <i>(See Line 12 Instructions)</i>		<b>1.0339</b>	(12)
13. Majority vote maximum millage rate allowed <i>(Line 11 multiplied by Line 12)</i>	3.9860	per \$1,000	(13)
14. Two-thirds vote maximum millage rate allowed <i>(Multiply Line 13 by 1.10)</i>	4.3846	per \$1,000	(14)
15. Current year proposed millage rate	3.9134	per \$1,000	(15)
16. <b>Minimum vote required to levy proposed millage:</b> (Check one)			(16)
<input checked="" type="checkbox"/> a. Majority vote of the governing body: Check here if Line 15 is less than or equal to Line 13. The maximum millage rate is equal to the majority vote maximum rate. <b>Enter Line 13 on Line 17.</b>			
<input type="checkbox"/> b. Two-thirds vote of governing body: Check here if Line 15 is less than or equal to Line 14, but greater than Line 13. The maximum millage rate is equal to proposed rate. <b>Enter Line 15 on Line 17.</b>			
<input type="checkbox"/> c. Unanimous vote of the governing body, or 3/4 vote if nine members or more: Check here if Line 15 is greater than Line 14. The maximum millage rate is equal to the proposed rate. <b>Enter Line 15 on Line 17.</b>			
<input type="checkbox"/> d. Referendum: The maximum millage rate is equal to the proposed rate. <b>Enter Line 15 on Line 17.</b>			
17. The selection on Line 16 allows a maximum millage rate of <i>(Enter rate indicated by choice on Line 16)</i>	3.9860	per \$1,000	(17)
18. Current year gross taxable value from Current Year Form DR-420, Line 4	\$	748,602,879	(18)

Taxing Authority : CITY OF FRUITLAND PARK		DR-420MM-P R. 5/12 Page 2	
19.	Current year proposed taxes <i>(Line 15 multiplied by Line 18, divided by 1,000)</i>	\$	2,929,583 (19)
20.	Total taxes levied at the maximum millage rate <i>(Line 17 multiplied by Line 18, divided by 1,000)</i>	\$	2,983,931 (20)
<b>DEPENDENT SPECIAL DISTRICTS AND MSTUs</b>			<b>STOP HERE. SIGN AND SUBMIT.</b>
21.	Enter the current year proposed taxes of all dependent special districts & MSTUs levying a millage. <i>(The sum of all Lines 19 from each district's Form DR-420MM-P)</i>	\$	0 (21)
22.	Total current year proposed taxes <i>(Line 19 plus Line 21)</i>	\$	2,929,583 (22)
<b>Total Maximum Taxes</b>			
23.	Enter the taxes at the maximum millage of all dependent special districts & MSTUs levying a millage <i>(The sum of all Lines 20 from each district's Form DR-420MM-P)</i>	\$	0 (23)
24.	Total taxes at maximum millage rate <i>(Line 20 plus Line 23)</i>	\$	2,983,931 (24)
<b>Total Maximum Versus Total Taxes Levied</b>			
25.	Are total current year proposed taxes on Line 22 equal to or less than total taxes at the maximum millage rate on Line 24? (Check one)	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	(25)
<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>	I certify the millages and rates are correct to the best of my knowledge. The millages comply with the provisions of s. 200.065 and the provisions of either s. 200.071 or s. 200.081, F.S.	
	Signature of Chief Administrative Officer :		Date :
	Title : GARY LAVENIA CITY MGR	Contact Name and Contact Title : Jeannine Racine, CITY FINANCE DIRECTOR	
	Mailing Address : 506 W BERCKMAN ST	Physical Address : 506 W BERCKMAN ST	
	City, State, Zip : FRUITLAND PARK, FL 34731	Phone Number : 352-360-6545	Fax Number : 352-360-6686

**Complete and submit this form DR-420MM-P, Maximum Millage Levy Calculation-Preliminary Disclosure, to your property appraiser with the form DR-420, Certification of Taxable Value.**



Reset Form

Print Form

DR-420TIF  
R. 6/10  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

# TAX INCREMENT ADJUSTMENT WORKSHEET

Year : 2019	County : LAKE
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority : CITY OF FRUITLAND PARK
Community Redevelopment Area : FRUITLAND PARK CRA 00F1	Base Year : 1995

**SECTION I : COMPLETED BY PROPERTY APPRAISER**

1.	Current year taxable value in the tax increment area	\$	56,603,130	(1)
2.	Base year taxable value in the tax increment area	\$	17,896,110	(2)
3.	Current year tax increment value <i>(Line 1 minus Line 2)</i>	\$	38,707,020	(3)
4.	Prior year Final taxable value in the tax increment area	\$	49,546,561	(4)
5.	Prior year tax increment value <i>(Line 4 minus Line 2)</i>	\$	31,650,451	(5)

<b>SIGN HERE</b>	<b>Property Appraiser Certification</b>		I certify the taxable values above are correct to the best of my knowledge.	
	Signature of Property Appraiser :		Date :	
	Electronically Certified by Property Appraiser		6/28/2019 4:24 PM	

**SECTION II: COMPLETED BY TAXING AUTHORITY Complete EITHER line 6 or line 7 as applicable. Do NOT complete both.**

6. If the amount to be paid to the redevelopment trust fund IS BASED on a specific proportion of the tax increment value:				
6a.	Enter the proportion on which the payment is based.		95.00 %	(6a)
6b.	Dedicated increment value <i>(Line 3 multiplied by the percentage on Line 6a)</i> <i>If value is zero or less than zero, then enter zero on Line 6b</i>	\$	36,771,669	(6b)
6c.	Amount of payment to redevelopment trust fund in prior year	\$	117,668	(6c)
7. If the amount to be paid to the redevelopment trust fund IS NOT BASED on a specific proportion of the tax increment value:				
7a.	Amount of payment to redevelopment trust fund in prior year	\$	117,668	(7a)
7b.	Prior year operating millage levy from Form DR-420, Line 10		0.0000 per \$1,000	(7b)
7c.	Taxes levied on prior year tax increment value <i>(Line 5 multiplied by Line 7b, divided by 1,000)</i>	\$	0	(7c)
7d.	Prior year payment as proportion of taxes levied on increment value <i>(Line 7a divided by Line 7c, multiplied by 100)</i>		0.00 %	(7d)
7e.	Dedicated increment value <i>(Line 3 multiplied by the percentage on Line 7d)</i> <i>If value is zero or less than zero, then enter zero on Line 7e</i>	\$	0	(7e)

<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the calculations, millages and rates are correct to the best of my knowledge.		
	Signature of Chief Administrative Officer :		Date :		
	Title : GARY LAVENIA CITY MGR		Contact Name and Contact Title : Jeannine Racine, CITY FINANCE DIRECTOR		
	Mailing Address : 506 W BERCKMAN ST		Physical Address : 506 W BERCKMAN ST		
	City, State, Zip : FRUITLAND PARK, FL 34731		Phone Number : 352-360-6545	Fax Number : 352-360-6686	



Reset Form

Print Form

DR-420TIF  
R. 6/10  
Rule 12D-16.002  
Florida Administrative Code  
Effective 11/12

# TAX INCREMENT ADJUSTMENT WORKSHEET

Year : 2019	County : LAKE
Principal Authority : CITY OF FRUITLAND PARK	Taxing Authority : CITY OF FRUITLAND PARK
Community Redevelopment Area : FRUITLAND PARK AMENDED CRA 00F2	Base Year : 2005

**SECTION I : COMPLETED BY PROPERTY APPRAISER**

1.	Current year taxable value in the tax increment area	\$	78,412,342	(1)
2.	Base year taxable value in the tax increment area	\$	67,646,734	(2)
3.	Current year tax increment value <i>(Line 1 minus Line 2)</i>	\$	10,765,608	(3)
4.	Prior year Final taxable value in the tax increment area	\$	72,087,193	(4)
5.	Prior year tax increment value <i>(Line 4 minus Line 2)</i>	\$	4,440,459	(5)

<b>SIGN HERE</b>	<b>Property Appraiser Certification</b>		I certify the taxable values above are correct to the best of my knowledge.	
	Signature of Property Appraiser :		Date :	
	Electronically Certified by Property Appraiser		6/28/2019 4:24 PM	

**SECTION II: COMPLETED BY TAXING AUTHORITY Complete EITHER line 6 or line 7 as applicable. Do NOT complete both.**

6. If the amount to be paid to the redevelopment trust fund IS BASED on a specific proportion of the tax increment value:				
6a.	Enter the proportion on which the payment is based.		95.00 %	(6a)
6b.	Dedicated increment value <i>(Line 3 multiplied by the percentage on Line 6a)</i> <i>If value is zero or less than zero, then enter zero on Line 6b</i>	\$	10,227,328	(6b)
6c.	Amount of payment to redevelopment trust fund in prior year	\$	16,571	(6c)
7. If the amount to be paid to the redevelopment trust fund IS NOT BASED on a specific proportion of the tax increment value:				
7a.	Amount of payment to redevelopment trust fund in prior year	\$	16,571	(7a)
7b.	Prior year operating millage levy from Form DR-420, Line 10		0.0000 per \$1,000	(7b)
7c.	Taxes levied on prior year tax increment value <i>(Line 5 multiplied by Line 7b, divided by 1,000)</i>	\$	0	(7c)
7d.	Prior year payment as proportion of taxes levied on increment value <i>(Line 7a divided by Line 7c, multiplied by 100)</i>		0.00 %	(7d)
7e.	Dedicated increment value <i>(Line 3 multiplied by the percentage on Line 7d)</i> <i>If value is zero or less than zero, then enter zero on Line 7e</i>	\$	0	(7e)

<b>S I G N  H E R E</b>	<b>Taxing Authority Certification</b>		I certify the calculations, millages and rates are correct to the best of my knowledge.		
	Signature of Chief Administrative Officer :		Date :		
	Title : GARY LAVENIA CITY MGR		Contact Name and Contact Title : Jeannine Racine, CITY FINANCE DIRECTOR		
	Mailing Address : 506 W BERCKMAN ST		Physical Address : 506 W BERCKMAN ST		
	City, State, Zip : FRUITLAND PARK, FL 34731		Phone Number : 352-360-6545	Fax Number : 352-360-6686	

Millage for 2020 7.1.19

**Taxable Values**

	FY2020 2019	FY2019 2018	FY2018 2017	FY2017 2016	FY2016 2015
Taxable Value	748,602,879	680,084,533	491,629,188	299,998,272	171,725,009
Tax Diff fm Last Year	68,518,346	188,455,345	191,630,916	128,273,263	5,215,221
% Change fm Prior Year	10.07%	38.33%	63.88%	74.70%	3.13%
<b>Millage Rate</b>	<b>3.9134</b>	<b>3.9134</b>	<b>3.9863</b>	<b>3.9863</b>	<b>4.7371</b>
RBR	3.7965	3.9134	3.6696	3.2632	4.6185
Percentage of RBR	3.08%	0.00%	8.63%	45.17%	2.57%
Proposed Millage	3.9134	3.9134	3.9863	4.7371	4.7371
Ad Valorem Budgeted	2,783,103	2,528,371	1,861,792	1,136,089	797,209
<b>Tax Levied</b>	<b>2,929,583</b>	<b>2,661,443</b>	<b>1,959,781</b>	<b>1,195,883</b>	<b>813,479</b>
Collected					
Delinquent Collected					
% Collected					

<b>% Tax Levied</b>	<b>2,783,103</b>	<b>2,528,371</b>	<b>1,861,792</b>	<b>1,136,089</b>	<b>797,209</b>
% Budget/Levied	0.95	0.95	0.95	0.95	0.98
Additional Ad Valorem	254,733	666,578	725,703	338,880	24,211

Millage for 2020 Max Levy TRIM

Description	Taxable Value	Millage Rate	Revenue	95% Revenue	Voting Requirement	Increase over last year's revenue	Increase in revenue over 3.9134 proposed millage
Proposed Rate	748,602,879	3.9134	2,929,583	2,783,103	Majority (3)	254,733	0
Rolled-Back-Rate	748,602,879	3.7965	2,842,071	2,699,967	Majority (3)	171,597	-83,136
Maximum Majority Rate	748,602,879	3.986	2,983,931	2,834,735	Majority (3)	306,364	51,631
Maximum Two-third Rate	748,602,879	4.3846	3,282,324	3,118,208	4 Commissioners	589,837	335,105
Last Year's Rate	680,084,533	3.9134	2,661,443	2,528,371	4 Commissioners	0	

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 5c**

**ITEM TITLE:** Second Reading and Public Hearing– Ordinance  
2019-010 Water Rate Restructure

**For the Meeting of:** July 25, 2019  
**Submitted by:** City Treasurer  
**Date Submitted:** July 1, 2019

**Funds Required:**

**Attachments:** Yes - Ordinance and Rate Tables

**Item Description:** Second Reading amending Chapter 50.30, Water Rates. A utility rate study was conducted and a total restructure of the city’s utility rates was recommended to cover the utility expenses. The commission requested the increase be done at 25%/25%/25% over the next three years. The rate study consultant has calculated the new rates based on those guidelines and these are incorporated into the proposed ordinance.

The base rate is being totally redone according to meter size. This change will occur only in the first year. The ¾ inch meter will remain the same which is 95% of all customers (1928 out of 2023).

The volumetric rate (cost of 1000 gallons) will be increased 25% each year for the next three years. The tiered volume range has increased greatly. Block 1 tier is the cheapest rate and the volume range has increased, allowing more volume at a cheaper rate. Blocks 3 and 4 are higher rates to discourage using that much water. This is a water conservation method used to deter people from using excessive amounts of water. This will help us with the Consumptive Use Permit next year.

**Action to be Taken:** Enact Ordinance 2019-010 to become effective immediately; however, the water rate adjustments shall be implemented July 26, 2019.

**Staff’s Recommendation:** Approval

**Additional Comments:** The first reading was held on July 11, 2019

**City Manager Review:**

**Mayor Authorization:**

## **ORDINANCE 2019-010**

AN ORDINANCE OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AMENDING SECTION 50.30 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO RESTRUCTURE AND ADJUST THE WATER UTILITY RATES BASED ON THE RECOMMENDATIONS FROM THE UTILITY RATE STUDY DATED JUNE 13, 2019 AND PREPARED BY BRYAN MANTZ; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Fruitland Park owns, operates and maintains a potable water services utility; and

WHEREAS, the City of Fruitland Park provides potable water within its utility district and charges its customers a water utility rate for providing such service; and

WHEREAS, the Utility Fund has operated in the negative in recent years and on the recommendation of the City's auditor to do a rate study in order to increase utility revenues to cover the utility cost, a Utility Rate Study was conducted and a total restructure of the City's utility rates was recommended, and that the restructure was presented to the city commission; and

WHEREAS, the City Commission of the City of Fruitland Park has accordingly determined it is necessary to uniformly increase the water rates based on the recommended changes commencing July 26, 2019, and each year thereafter for three years; and

WHEREAS, the City Commission of the City of Fruitland Park, Lake County, Florida hereby finds and declares that the adoption of this ordinance is necessary, appropriate, and in the public interest of the citizens of this community.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, LAKE COUNTY, FLORIDA AS FOLLOWS:

### **Section 1. Recitals.**

The above recitals are true and correct and, by this reference, are hereby incorporated into the made an integral part of this ordinance.

### **Section 2. Water Rates**

That Sections 50.30(A) and (B) in Chapter 50, of the Fruitland Park Code of Ordinances are hereby amended to read as follows:

#### **Sec. 50.30. Charge or rate for water services.**

Any user for the services of the waterworks system of the city shall pay therefore the following rates for water services beginning July 26 , 2019, which rates shall be applicable to all customers of the waterworks system, except as otherwise provided hereafter:

(A) Water service inside the city.



1. Except as provided in subsection 2, water rates within the city shall be calculated by adding the base rate to the tier-based charge per 1,000 gallons of actual consumptive use. Effective July 26, 2019, the base rate and the charge per 1,000 gallons of actual use shall be as follows:

**Single Family Residential Water Rates - Inside City**

	Effective 07/26/2019	Effective 10/1/2020	Effective 10/1/2021
<b>Base Rate</b>			
¾" Meter or Smaller	\$17.10	\$17.10	\$17.10
1" Meter	28.50	28.50	28.50
1½" Meter	57.00	57.50	57.00
2" Meter	91.20	91.20	91.20
Volumetric Rate [1]			
Block 1 Per 1,000 Gallons	\$ 1.32	\$ 2.08	\$ 3.03
Block 2 Per 1,000 Gallons	2.64	4.16	6.06
Block 3 Per 1,000 Gallons	3.96	6.24	9.09
Block 4 Per 1,000 Gallons	5.28	8.32	12.12

**Multi-Family and Commercial Residential Water Rates - Inside City**

<b>Base Rate</b>			
¾" Meter or Smaller	\$17.10	\$17.10	\$17.10
1" Meter	28.50	28.50	28.50
1½" Meter	57.00	57.00	57.00
2" Meter	91.20	91.20	91.20
3" Meter	171.00	171.00	171.00
4" Meter	285.00	285.00	285.00
6" Meter	570.00	570.00	570.00
8" Meter	912.00	912.00	912.00
10" Meter	1,311.00	1,311.00	1,311.00
Volumetric Rate [2]			
All Usage Per 1,000 Gallons	\$ 1.32	\$ 2.08	\$ 3.03

**Single Family Residential Irrigation Rates - Inside City**

<b>Base Rate</b>			
¾" Meter or Smaller	\$17.10	\$17.10	\$17.10
1" Meter	28.50	28.50	28.50
1½" Meter	57.00	57.50	57.00
2" Meter	91.20	91.20	91.20
Volumetric Rate			
Block 1 Per 1,000 Gallons	\$ 2.64	4.16	6.06
Block 2 Per 1,000 Gallons	3.96	6.24	9.09
Block 3 Per 1,000 Gallons	5.28	8.32	12.12

**Multi-Family and Commercial Residential Water Rates - Inside City**

**Base Rate**

¾" Meter or Smaller	\$17.10	\$17.10	\$17.10
1" Meter	28.50	28.50	28.50
1½" Meter	57.00	57.00	57.00
2" Meter	91.20	91.20	91.20
3" Meter	171.00	171.00	171.00
4" Meter	285.00	285.00	285.00
6" Meter	570.00	570.00	570.00
8" Meter	912.00	912.00	912.00
10" Meter	1,311.00	1,311.00	1,311.00

2. The bulk potable water rate within the city for water provided to Central Sumter Utility Company, LLC, shall be a bulk rate per 1,000 gallons. The rate will be adjusted any time the city adjusts the base rate for residential water by the same percentage increase or decrease in the city's base rate for residential water. Effective July 26, 2019, the charge per 1,000 gallons of actual use shall be as follows:

	Effective 07/26/2019	Effective 10/1/2020	Effective 10/1/2021
All consumption per 1,000 gallons	\$ 1.08	\$ 1.34	\$ 1.68

(B) Water service outside the city.

Users receiving service outside the city limits shall pay a charge of 125 percent of the rates set forth in subsection (A), 1. above. The water rates shall be calculated by adding the base rate to the tier-based charge per 1,000 gallons of actual consumptive use. Effective July 26, 2019, the base rate and the charge per 1,000 gallons of actual use shall be as follows:

**Single Family Residential Water Rates – Outside City**

	Effective 07/26/2019	Effective 10/1/2020	Effective 10/1/2021
<b>Base Rate</b>			
¾" Meter or Smaller	\$21.38	\$21.38	\$21.38
1" Meter	35.63	35.63	35.63
1½" Meter	71.25	71.25	71.25
2" Meter	114.00	114.00	114.00
<b>Volumetric Rate</b>			
Block 1 Per 1,000 Gallons	\$ 1.65	\$ 2.60	\$ 3.79
Block 2 Per 1,000 Gallons	3.30	5.20	7.58
Block 3 Per 1,000 Gallons	4.95	7.80	11.36
Block 4 Per 1,000 Gallons	6.60	10.40	15.15

**Multi-Family and Commercial Residential Water Rates – Outside City**

**Base Rate**

¾" Meter or Smaller	\$21.38	\$21.38	\$21.38
1" Meter	35.63	35.63	35.63

1½" Meter	71.25	71.25	71.25
2" Meter	114.00	114.00	114.00
3" Meter	213.75	213.75	213.75
4" Meter	356.25	356.25	356.25
6" Meter	712.50	712.50	712.50
8" Meter	1,140.00	1,140.00	1,140.00
10" Meter	1,638.75	1,638.75	1,638.75

Volumetric Rate			
All Usage Per 1,000 Gallons	\$ 1.65	\$ 2.60	\$ 3.79

**Summary of Monthly Water Tiered-Based Range Charge Per 1,000 Gallons**

**[1] Consumption ranges for single family residential customers shall vary by meter size as follows:**

Single Family Residential Consumption Ranges

Meter Size	Block 1	Block 2	Block 3	Block 4
¾" or smaller	0 to 8,000	8,001 to 16,000	16,001 to 24,000	Above 24,000
1"	0 to 13,000	13,001 to 27,000	27,001 to 40,000	Above 40,000
1½" Meter	0 to 27,000	27,001 to 53,000	53,001 to 80,000	Above 80,000
2" Meter	0 to 43,000	43,001 to 85,000	85,001 to 128,000	Above 128,000

**[2] Consumption ranges for irrigation customer shall vary by meter size as follows:**

Irrigation Consumption Ranges

Meter Size	Block 1	Block 2	Block 3
¾" or smaller	0 to 16,000	16,001 to 24,000	Above 24,000
1"	0 to 27,000	27,001 to 40,000	Above 40,000
1½" Meter	0 to 53,000	53,001 to 80,000	Above 80,000
2" Meter	0 to 85,000	85,001 to 128,000	Above 128,000
3" Meter	0 to 160,000	160,001 to 240,000	Above 240,000
4" Meter	0 to 267,000	267,001 to 400,000	Above 400,000
6" Meter	0 to 533,000	533,001 to 800,000	Above 800,000
8" Meter	0 to 853,000	853,001 to 1,280,000	Above 1,280,000
10" Meter	0 to 1,227,000	1,227,001 to 1,840,000	Above 1,840,000

A surcharge of 25% is applied to customers located outside City limits as allowable by Florida Statutes, Chapter 180.191 (1).

**Section 3. Conflicts and Ordinances Repealed**

All Ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 4. Severability.**

If any section, sentence, phrase, or word or portion of this Ordinance is determined to be invalid, unlawful or unconstitutional, said determination shall not be held to invalidate or impair the validity, force or effect of any

other section, sentence, phrase, word or portion of this ordinance not otherwise determined to be invalid, unlawful or unconstitutional.

**Section 5. Codification.**

It is the intent of the City Commission of the City of Fruitland Park that the provisions of this chapter shall become and made a part of the Fruitland Park Code of Ordinances; and grants authority to the codifier to renumber or re-letter sections, and change the words in this ordinance to section, article, chapter or such other appropriate word or phrase in order to accomplish such intentions.

**Section 6. Effective Date.**

This ordinance shall be effective immediately upon adoption; however, the water rate adjustments shall be implemented July 26, 2019.

PASSED AND DULY ADOPTED this \_\_\_\_\_ day of \_\_\_\_\_, 2019 by the City of Fruitland Park, Florida.

\_\_\_\_\_  
Christopher Cheshire, Mayor

Attest:

\_\_\_\_\_  
Esther Coulson, City Clerk

Mayor Cheshire	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Bell	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Vice Mayor Gunter	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Lewis	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)
Commissioner Ranize	_____	(Yes),	_____	(No),	_____	(Abstained),	_____	(Absent)

First Reading                      July 11, 2019

Second Reading

Approved as to form and legality:

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

5c 2019-010 WATER RATES BUDGET FY2020

<b>FY2020 3/4" Meter (8/1/2019 - 09/30/2020) RATE STUDY RESTRUCTURE</b>		In City- residential	In City- commercial	County- Residential	County- Commercial	
	GALLONS	WARI75	WACI75	WARO75	WACO75	NEW 25%
BASE RATE		17.10	17.10	21.38	21.38	
BLOCK 1 (per 1K)	0-8,000	1.32	1.32	1.65	1.65	
BLOCK 2	8,001-16,000	2.64	1.32	3.30	1.65	
BLOCK 3	16,001-24,000	3.96	1.32	4.95	1.65	
BLOCK 4	24,001-9,999,999	5.28	1.32	6.60	1.65	

**BULK** 1.08 **25% per year next 3 years**

<b>FY2020 1.0" Meter (8/1/2019 - 09/30/2020) RATE STUDY RESTRUCTURE</b>		In City- residential	In City- commercial	County- Residential	County- Commercial	
	GALLONS	WARI10	WACI10	WARO10	WACO10	NEW 25%
BASE RATE		28.50	28.50	35.63	35.63	
BLOCK 1 (per 1K)	0-13,000	1.32	1.32	1.65	1.65	
BLOCK 2	13,001-27,000	2.64	1.32	3.30	1.65	
BLOCK 3	27,001-40,000	3.96	1.32	4.95	1.65	
BLOCK 4	40,001-9,999,999	5.28	1.32	6.60	1.65	

<b>FY2020 1.5" Meter (8/1/2019 - 09/30/2020) RATE STUDY RESTRUCTURE</b>		In City- residential	In City- commercial	County- Residential	County- Commercial	
	GALLONS	WARI15	WACI15	WARO15	WACO15	NEW 25%
BASE RATE		57.00	57.00	71.25	71.25	
BLOCK 1 (per 1K)	0-27,000	1.32	1.32	1.65	1.65	
BLOCK 2	27,001-53,000	2.64	1.32	3.30	1.65	
BLOCK 3	53,001-80,000	3.96	1.32	4.95	1.65	
BLOCK 4	80,001-9,999,999	5.28	1.32	6.60	1.65	

<b>FY2020 2.0" Meter (8/1/2019 - 09/30/2020) RATE STUDY RESTRUCTURE</b>		In City- residential	In City- commercial	County- Residential	County- Commercial	
	GALLONS	WARI20	WACI20	WARO20	WACO20	NEW 25%
BASE RATE		91.20	91.20	114.00	114.00	
BLOCK 1 (per 1K)	0-43,000	1.32	1.32	1.65	1.65	
BLOCK 2	43,001-85,000	2.64	1.32	3.30	1.65	
BLOCK 3	85,001-128,000	3.96	1.32	4.95	1.65	
BLOCK 4	128,001-9,999,999	5.28	1.32	6.60	1.65	

5c 2019-010 WATER RATES BUDGET FY2020

<b>FY2020 3.0" Meter (8/1/2019 - 09/30/2020) RATE STUDY RESTRUCTURE</b>		In City- residential	In City- commercial	County- Residential	County- Commercial
	<b>GALLONS</b>		<b>WACI30</b>		<b>WACO30</b> NEW 25%
<b>BASE RATE</b>			171.00	-	213.75
<b>BLOCK 1 (per 1K)</b>	<b>0-43,000</b>		1.32	-	1.65
<b>BLOCK 2</b>	<b>43,001-85,000</b>		1.32	-	1.65
<b>BLOCK 3</b>	<b>85,001-128,000</b>		1.32	-	1.65
<b>BLOCK 4</b>	<b>128,001-9,999,999</b>		1.32	-	1.65

**LAST YEAR**

<b>FY2019 (10/1/2018 - 09/30/2019) INCREASE at 2.1 CPU</b>		In City- residential	In City- commercial	County- Residential	County- Commercial
	<b>GALLONS</b>	<b>WATRG 1</b>	<b>WATRG 2</b>	<b>WATRG3</b>	<b>WATRG4</b>
<b>BASE RATE</b>	<b>0-3,000</b>	<b>17.10</b>	<b>17.10</b>	<b>21.37</b>	<b>21.37</b>
<b>TIER 1 (per 1K)</b>	<b>3,001-5,000</b>	<b>1.00</b>	<b>1.00</b>	<b>1.25</b>	<b>1.25</b>
<b>TIER 2</b>	<b>5,001-9,000</b>	<b>1.39</b>	<b>1.39</b>	<b>1.74</b>	<b>1.74</b>
<b>TIER 3</b>	<b>9,001-14,000</b>	<b>1.83</b>	<b>1.83</b>	<b>2.28</b>	<b>2.28</b>
<b>TIER 4</b>	<b>14,001-18,000</b>	<b>2.43</b>	<b>2.43</b>	<b>3.05</b>	<b>3.05</b>
<b>TIER 5</b>	<b>18,001-99,999,999</b>	<b>2.98</b>	<b>2.98</b>	<b>3.72</b>	<b>3.72</b>

2.10%

<b>BULK</b>	<b>0.86</b>
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**CITY OF FRUITLAND PARK**  
**AGENDA ITEM SUMMARY SHEET**  
**Item Number: 5d**

**ITEM TITLE:** Second Reading and Public Hearing – Ordinance  
2019-011 Wastewater Rate Restructure

**For the Meeting of:** July 25, 2019  
**Submitted by:** City Treasurer  
**Date Submitted:** July 1, 2019  
**Funds Required:**  
**Attachments:** Yes - Ordinance and Rate Tables

**Item Description:** Second reading amending Chapter 99.60, Wastewater Rates. A utility rate study was conducted and a total restructure of the city’s utility rates was recommended to cover the utility expenses. The commission requested the increase be done at 25%/25%/25% over the next three years. The rate study consultant has calculated the new rates based on those guidelines and these are incorporated into the ordinance.

The base rate is being increased and depends on meter size. The volumetric rate (cost of 1000 gallons) will be increased each year for the next three years. This will include all gallons through a maximum of 10,000 gallons.

**Action to be Taken:** Enact Ordinance 2019-011 to become effective immediately upon adoption; however, the wastewater rate adjustments shall be implemented July 26, 2019.

**Staff’s Recommendation:** Approval.

**Additional Comments:** The first reading was held on July 25, 2019

**City Manager Review:**

**Mayor Authorization:**

**ORDINANCE 2019-011**

**AN ORDINANCE OF THE CITY OF FRUITLAND PARK, FLORIDA, AMENDING SECTION 99.60 IN CHAPTER 50 OF THE FRUITLAND PARK CODE OF ORDINANCES TO RESTRUCTURE AND ADJUST THE WASTEWATER UTILITY RATES BASED ON THE RECOMMENDATIONS FROM THE UTILITY RATE STUDY; PROVIDING FOR CODIFICATION; PROVIDING FOR REPEAL OF ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statute Chapter 180 provides local municipalities with the authority to establish and operate water utility systems; and

**WHEREAS**, Florida Statute Chapter 180.13 provides the City Commission with the authority to establish just and equitable rates or charges to be paid to the municipality for the use of the utility by each person; and

**WHEREAS**, the City Commission has determined that it is necessary to amend the ordinance governing the wastewater systems for the City of Fruitland Park to meet the cost of providing wastewater service to the customers of the wastewater system; and

**WHEREAS**, Utility Fund has operated in the negative in recent years and on the recommendation of the City's auditor to do a rate study in order to increase the utility revenues to cover the utility cost, a Utility Rate Study was conducted and a total restructure of the utility rates was recommended, and that the restructure was presented to the city commission; and

**WHEREAS**, the City Commission of the City of Fruitland Park has accordingly determined that it is necessary to uniformly increase the water rates based on the recommended changes to commence July 26, 2019, and each year thereafter for three years; and

**WHEREAS**, the City of Fruitland Park has provided notice of the proposed increase as well as the date at which this ordinance will be considered for adoption to each customer through the utility's billing process as is required by 180.136, Florida Statutes; and

**WHEREAS**, the City Commission of the City of Fruitland Park, Lake County, Florida hereby finds and declares that the adoption of this ordinance is necessary, appropriate, and in the public interest of the citizens of this community.

**NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA**

**Section 1.** In Chapter 99, Section 99.60(B) relating to Wastewater Rates shall be amended to read as follows:

**Single Family Residential Wastewater Rates - Inside City**



<b>Base Rate</b>	07/26/2019	10/1/2020	10/1/2021
¾" Meter or Smaller	\$20.00	\$22.50	\$25.00
1" Meter	20.00	22.50	25.00
1½" Meter	20.00	22.50	25.00
2" Meter	20.00	22.50	25.00

<b>Volumetric Rate</b>			
All Consumption Per 1,000 Gallons	\$2.34	\$3.57	\$5.26
Up to 10,000 Gallons	0.00	0.00	0.00

All Consumption Per 1,000 Gallons	0.00	\$0.00	\$ 0.00
Above 10,000 Gallons	0.00	0.00	0.00

**Multi-Family Residential Wastewater Rates - Inside City**

<b>Base Rate</b>			
¾" Meter or Smaller	\$20.00	\$22.50	\$25.00
1" Meter	33.33	37.50	41.67
1½" Meter	66.67	75.00	83.33
2" Meter	106.67	120.00	133.33
3" Meter	200.00	225.00	250.00
4" Meter	333.33	375.00	416.67
6" Meter	666.67	750.00	833.33
8" Meter	1,066.67	1,200.00	1,133.33
10" Meter	1,533.33	1,725.00	1,916.67

<b>Volumetric Rate</b>			
All Consumption Per 1,000 Gallons	\$2.34	\$3.57	\$5.26

**Single Family Residential Wastewater Rates – Outside City**

<b>Base Rate</b>			
¾" Meter or Smaller	\$25.00	\$28.13	\$31.25
1" Meter	25.00	28.13	31.25
1½" Meter	25.00	28.13	31.25
2" Meter	25.00	28.13	31.25

<b>Volumetric Rate [4]</b>			
All Consumption Per 1,000 Gallons	\$2.93	\$4.46	\$6.58
Up to 10,000 Gallons	0.00	0.00	0.00

All Consumption Per 1,000 Gallons	\$0.00	\$0.00	\$0.00
Above 10,000 Gallons	0.00	0.00	0.00

**Multi-Family and Commercial Wastewater Rates – Outside City**

<b>Base Rate</b>			
¾" Meter or Smaller	\$25.00	\$28.13	\$31.25
1" Meter	41.67	46.88	52.08
1½" Meter	83.33	93.75	104.17

2" Meter	133.33	150.00	166.67
3" Meter	250.00	281.25	312.50
4" Meter	416.67	468.75	520.83
6" Meter	833.33	937.50	1,041.67
8" Meter	1,333.33	1,500.00	1,666.67
10" Meter	1,916.67	2,156.25	2,395.83

Volumetric Rate			
All Consumption Per 1,000 Gallons	\$2.93	\$4.46	\$6.58

(a) Sewer pump, electric connection fee: \$400.00

**Section 2.** All Ordinances in conflict with the provisions of this ordinance are hereby repealed.

**Section 3.** The provisions of this ordinance are intended to be incorporated into the Code of Ordinances of the City of Fruitland Park, Florida and the sections of this ordinance may be renumbered, re-lettered, and the word "ordinance" may be changed to "section", "article" or such other word or phrase in order to accomplish such intention.

**Section 4.** If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

**Section 5.** This ordinance shall be effective immediately upon adoption; however, the wastewater rate adjustments shall be implemented July 26, 2019.

PASSED AND ORDAINED this \_\_\_\_\_ 2019 by the City Commission of the City of Fruitland Park, Florida.

\_\_\_\_\_  
Christopher Cheshire, Mayor

Attest:

\_\_\_\_\_  
Esther Coulson, City Clerk

Mayor Cheshire	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Vice Mayor Gunter	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Bell	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner DeGrave	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)
Commissioner Mobilian	_____ (Yes),	_____ (No),	_____ (Abstained),	_____ (Absent)

First Reading            July 11, 2019

Second Reading

Approved as to form and legality:

CITY OF FRUITLAND PARK  
Proposed WasteWater Rate Increase FY2020

**RATE STUDY RESTRUCTURE**

125% OF  
CITY

**Eff Aug 2019 FY2020**

RESIDENTIAL CITY BASE RATE			RESIDENTIAL COUNTY BASE RATE			MIN GAL	MAX GAL	CITY RATE	COUNTY RATE
3/4 Meter	WWRI75	20.00	3/4 Meter	WWRO75	25.00	0	10,000	2.34	2.93
1 Meter	WWRI10	20.00	1 Meter	WWRO10	25.00	0	10,000	2.34	2.93
1.5 Meter	WWRI15	20.00	1.5 Meter	WWRO15	25.00	0	10,000	2.34	2.93
2.0 Meter	WWRI20	20.00	2.0 Meter	WWRO20	25.00	0	10,000	2.34	2.93

**WASTERWATER**

**Non Single-Family (Multifamily & Commercial): Inside City**

Meter Size	Monthly Base Charge	Usage gal/Mth	Usage Rate per 1000 gallons	WW Code
3/4"	20.00	All Consumption	2.34	WWCI75
1.0"	33.33	All Consumption	2.34	WWCI10
1.5"	66.67	All Consumption	2.34	WWCI15
2.0"	106.67	All Consumption	2.34	WWCI20
3.0"	200.00	All Consumption	2.34	WWCI30
4.0"	333.33	All Consumption	2.34	WWCI40
6.0"	666.67	All Consumption	2.34	WWCI60
8.0"	1,066.67	All Consumption	2.34	WWCI80
10.0"	1,533.33	All Consumption	2.34	WWCI1*

**Non Single-Family (Multifamily & Commercial): Outside City**

Meter Size	Monthly Base Charge	Usage gal/Month	Usage Rate per 1000 gallons	Munis A/R Code
3/4"	25.00	All Consumption	2.93	WWCO75
1.0"	41.66	All Consumption	2.93	WWCO10
1.5"	83.34	All Consumption	2.93	WWCO15
2.0"	133.34	All Consumption	2.93	WWCO20
3.0"	250.00	All Consumption	2.93	WWCO30
4.0"	416.66	All Consumption	2.93	WWCO40
6.0"	833.34	All Consumption	2.93	WWCO60
8.0"	1,333.34	All Consumption	2.93	WWCO80
10.0"	1,916.66	All Consumption	2.93	WWCO1*

CITY OF FRUITLAND PARK  
Proposed WasteWater Rate Increase OCT 2018 FY2019

**INCREASE**

2.100%

\$0.32 BASE RATE

0.04 THOUSAND GALLONS

125% OF CITY

**Eff Oct 2018 FY2019**

		<u>TIER</u>	<u>MIN GAL</u>	<u>MAX GAL</u>	<u>CITY RATE</u>	<u>COUNTY RATE</u>
CITY BASE RATE	15.71	1	0	3,000	1.83	2.29
COUNTY BASE RATE	19.63	2	3,001	7,500	-	-

WASTERWATER

**Non Single-Family (Multifamily & Commercial): Inside City**

Meter Size	Usage		Rate per 1000 gallons	Munis A/R Code
	Monthly Base Charge	Usage gal/Mth		
3/4"	15.71	7,500	1.83	WWCI75
1.0"	35.28	18,750	1.83	WWCI10
1.5"	67.92	37,500	1.83	WWCI15
2.0"	107.07	60,000	1.83	WWCI20
3.0"	198.44	112,500	1.83	WWCI30
4.0"	328.96	187,500	1.83	WWCI40
6.0"	655.28	375,000	1.83	WWCI60
8.0"	1,046.85	600,000	1.83	WWCI80
10.0"	1,503.69	862,500	1.83	WWCI1*

**Non Single-Family (Multifamily & Commercial): Outside City**

Meter Size	Usage		Rate per 1000 gallons	Munis A/R Code
	Monthly Base Charge	Usage gal/Mon th		
3/4"	19.63	7,500	2.29	WWCO75
1.0"	44.11	18,750	2.29	WWCO10
1.5"	84.89	37,500	2.29	WWCO15
2.0"	133.84	60,000	2.29	WWCO20
3.0"	248.05	112,500	2.29	WWCO30
4.0"	411.21	187,500	2.29	WWCO40
6.0"	819.10	375,000	2.29	WWCO60
8.0"	1,308.56	600,000	2.29	WWCO80
10.0"	1,879.61	862,500	2.29	WWCO1*

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 5e**

**ITEM TITLE:** First Reading and Quasi-Judicial Public Hearing - Ordinance  
2019-006 – Library Site Rezoning

**For the Meeting of:** July 25, 2019

**Submitted by:** City Attorney/City Manager/Community Development  
Director

**Date Submitted:** July 15, 2019

**Funds Required:** No

**Attachments:** Yes. Quasi-judicial Hearing Establishment Resolution  
2004-014 and Chapter 286 FS; Proposed Ordinance  
2019-006 with Exhibit; Proposed Map, and Newspaper  
Affidavit.

**Item Description:** Proposed Ordinance 2019-006 – Library Site Rezoning.  
Petitioner: City of Fruitland Park. (The second reading will be held on August 8, 2019.)

The Planning and Zoning Board, at its July 18, 2019 regular meeting, recommended approval of  
the rezoning.

**Action to be Taken:** Approve Ordinance 2019-006

**Staff's Recommendation:** Approval

**Additional Comments:** None

**City Manager Review:**

**Mayor Authorization:**

**RESOLUTION 2004-014**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA; RELATING TO QUASI-JUDICIAL HEARINGS; ESTABLISHING PROCEDURES FOR THE DISCLOSURE OF EX PARTE COMMUNICATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Florida Statute 286.0115 allows municipalities to remove the presumption of prejudice attached to ex parte communications with local public officials in quasi-judicial proceedings through the adoption of a resolution or ordinance establishing a process for the disclosure of such communications; and

**WHEREAS**, the City Commission of the City of Fruitland Park desires to implement the provisions of F.S. 286.0115 with respect to quasi-judicial proceedings which occur before the City Commission as well as city boards and committees.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK:**

**Section 1.** The following procedures shall apply with regards to any quasi-judicial matters before the City Commission or any board or committee of the City:

**Procedures for quasi-judicial hearings;  
Disclosure of ex parte communications.**

(a) *Intent.* Pursuant to Section 286.0115(1), Florida Statutes, it is the intent of the city commission that this section is intended to remove the presumption of prejudice from *ex parte* communications with city officials and to permit, among other things, site visits, the receipt of expert opinion, and the review of mail and other correspondence relating to quasi-judicial proceedings by said city officials. .

(b) *Definitions.* As used in this section, the following terms shall be defined as follows:

- (1) "City official" means and refers to any elected or appointed public official holding a municipal position or office who recommends or takes quasi-judicial action as a member of a city board, commission, or committee, including, but not limited to, a member of the city commission, the code enforcement board, the planning and zoning board, or the local planning agency.
- (2) "*Ex parte* communication" means a communication involving a city official and a member of the public, regarding a pending quasi-judicial action, such that the city official may be exposed to only one perspective

or part of the evidence with regard to a quasi-judicial action pending before the commission or board on which the city official serves. *Ex parte* communications occur at other than a public meeting of the board on which the city official serves at which the quasi-judicial action discussed has been publicly noticed.

- (3) "Member of the public" refers to any person interested in a quasi-judicial action, including, but not limited to, an applicant, an officer or member of a homeowner's association, an officer or member of an environmental, homebuilding/development, or concerned citizen's organization, an official or employee of a governmental entity other than the City, a developer, a property owner, or an interested citizen, or a representative of or attorney for any of the foregoing.
- (4) "Quasi-judicial" refers to a land use, land development, zoning, or building related permit, application or appeal, as set forth below, in which city officials give notice and an opportunity to be heard to certain substantially affected persons, investigate facts, ascertain the existence of facts, hold hearings, weigh evidence, draw conclusions from the facts, and apply the law to the facts, as the basis for their decision.
- (5) "Site visit" means an inspection of real property subject to an application for any quasi-judicial action prior to a public hearing on the application conducted by a city official. The mere act of driving by a site in the daily course of driving to a particular location, such as work or a particular store, which act is not undertaken for the purpose of inspecting a particular parcel of real property is not a site visit for purposes of this section.

(c) *Ex parte communications between city officials and members of the public.*

- (1) A member of the public not otherwise prohibited by statute, charter provision or ordinance may have an *ex parte* communication with any city official regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below.
- (2) Except as otherwise provided by statute, charter provision, or ordinance, any city official may have an *ex parte* communication with any expert witness or consultant regarding any quasi-judicial matter on which action may be taken by the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) below. Nothing here,



however, shall restrict a city official access to city staff or expert witness or consultant retained by the City.

(3) Disclosure.

- (A) All city officials shall disclose the occurrence of all *ex parte* communications or discussions with a member of the public or an expert witness or consultant involving said city official which relate to the quasi-judicial action pending before the commission or board on which the city official serves.
  - (B) Disclosure shall occur by no later than the final public hearing, or if no formal public hearing is held, then any hearing at which the final decision regarding the quasi-judicial matter is made. The city official shall disclose the *ex parte* communication verbally or by memorandum. Any such memorandum disclosing the occurrence of the *ex parte* communication shall be placed in the official file regarding the pending quasi-judicial matter which file shall be maintained in the City Clerk's records.
  - (C) At the time of disclosure, the city official shall identify the person, group, or entity with whom the *ex parte* communication took place, the substance of the *ex parte* communication, and any matters discussed which are considered by the city official to be material to said city official's decision in the pending quasi-judicial matter.
- (d) *Oral or written communications between city staff and city officials.* City officials may discuss quasi-judicial matters pending before the commission or board on which said city official serves with city staff without the requirement to disclose pursuant to sub-section (c)(3) above.
- (e) *Site visits by city officials.* Any city official may conduct a site visit of any property related to a quasi-judicial matter pending before the commission or board on which the city official serves; provided, that the city official adheres to the disclosure requirements set forth in sub-section (c)(3) above. Any disclosure of a site visit pursuant to sub-section (c)(3) shall disclose the existence of the site visit, and any information obtained by virtue of the site visit considered by the city official to be material to said official's decision regarding the pending quasi-judicial matter.
- (f) *Review of mail, correspondence, and written communications by city officials.* Any city official may review mail, correspondence, or written communications, related to a quasi-judicial matter pending before the commission or board on which the city official serves. Upon review of the mail, correspondence, or

written communication, the document shall be placed in the official file regarding the pending quasi-judicial matter and maintained in the city clerk's records.

- (g) *City clerk's file.* All correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter shall be placed in the official file regarding said matter and maintained by the city clerk. Said correspondence, mail, or written communications reviewed by city officials prior to the final hearing on a pending quasi-judicial matter, or any disclosure memoranda as described in sub-section (c)(3)(B), shall be available for public inspection. By no later than the final public hearing, or if no formal public hearing is held, then at any hearing at which the final decision regarding the quasi-judicial matter is made, the city clerk shall make said correspondence, mail, written communications, or other matters, and any disclosure memoranda placed in the official file, a part of the record. All of the foregoing documents shall be received by the commission or board as evidence, with the exception of disclosure memoranda, subject to any objections interposed by participants at the hearing.
- (h) *Opportunity to comment upon substance of disclosure.* At such time that a disclosure regarding an *ex parte* communication, receipt of an expert opinion, site visit, or review of mail, correspondence, or other written communication is made a part of the record at a hearing, persons who may have opinions or evidence contrary to those expressed in the *ex parte* communication, expert opinion, or mail, correspondence, or other written communication, or noted during the site visit, shall be given a reasonable opportunity to refute or respond and provide contrasting information, evidence, or views.


**Section 2.** If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portion of this ordinance.

**Section 3.** This resolution shall be effective upon passage.

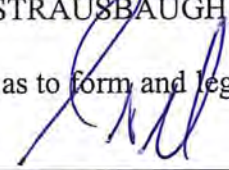
**PASSED AND RESOLVED** this 24<sup>th</sup> day of June, 2004, by the City Commission of the City of Fruitland Park, Florida.

  
\_\_\_\_\_  
JOHN L. GUNTER, JR., VICE MAYOR

ATTEST:

  
\_\_\_\_\_  
MARGE STRAUSBAUGH, CITY CLERK

Approved as to form and legality:

  
\_\_\_\_\_  
Scott A. Gerken, City Attorney



Select Year:  

## The 2018 Florida Statutes

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[Title XIX](#)[Chapter 286](#)[View Entire Chapter](#)

PUBLIC BUSINESS

PUBLIC BUSINESS: MISCELLANEOUS PROVISIONS

### **286.0115 Access to local public officials; quasi-judicial proceedings on local government land use matters.** –

(1)(a) A county or municipality may adopt an ordinance or resolution removing the presumption of prejudice from ex parte communications with local public officials by establishing a process to disclose ex parte communications with such officials pursuant to this subsection or by adopting an alternative process for such disclosure. However, this subsection does not require a county or municipality to adopt any ordinance or resolution establishing a disclosure process.

(b) As used in this subsection, the term “local public official” means any elected or appointed public official holding a county or municipal office who recommends or takes quasi-judicial action as a member of a board or commission. The term does not include a member of the board or commission of any state agency or authority.

(c) Any person not otherwise prohibited by statute, charter provision, or ordinance may discuss with any local public official the merits of any matter on which action may be taken by any board or commission on which the local public official is a member. If adopted by county or municipal ordinance or resolution, adherence to the following procedures shall remove the presumption of prejudice arising from ex parte communications with local public officials.

1. The substance of any ex parte communication with a local public official which relates to quasi-judicial action pending before the official is not presumed prejudicial to the action if the subject of the communication and the identity of the person, group, or entity with whom the communication took place is disclosed and made a part of the record before final action on the matter.

2. A local public official may read a written communication from any person. However, a written communication that relates to quasi-judicial action pending before a local public official shall not be presumed prejudicial to the action, and such written communication shall be made a part of the record before final action on the matter.

3. Local public officials may conduct investigations and site visits and may receive expert opinions regarding quasi-judicial action pending before them. Such activities shall not be presumed prejudicial to the action if the existence of the investigation, site visit, or expert opinion is made a part of the record before final action on the matter.

4. Disclosure made pursuant to subparagraphs 1., 2., and 3. must be made before or during the public meeting at which a vote is taken on such matters, so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication. This subsection does not subject local public officials to part III of chapter 112 for not complying with this paragraph.

(2)(a) Notwithstanding the provisions of subsection (1), a county or municipality may adopt an ordinance or resolution establishing the procedures and provisions of this subsection for quasi-judicial proceedings on local government **land** use matters. The ordinance or resolution shall provide procedures and provisions identical to this subsection. However, this subsection does not require a county or municipality to adopt such an ordinance or resolution.

(b) In a quasi-judicial proceeding on local government **land** use matters, a person who appears before the decisionmaking body who is not a party or party-intervenor shall be allowed to testify before the decisionmaking

body, subject to control by the decisionmaking body, and may be requested to respond to questions from the decisionmaking body, but need not be sworn as a witness, is not required to be subject to cross-examination, and is not required to be qualified as an expert witness. The decisionmaking body shall assign weight and credibility to such testimony as it deems appropriate. A party or party-intervenor in a quasi-judicial proceeding on local government **land** use matters, upon request by another party or party-intervenor, shall be sworn as a witness, shall be subject to cross-examination by other parties or party-intervenors, and shall be required to be qualified as an expert witness, as appropriate.

(c) In a quasi-judicial proceeding on local government **land** use matters, a person may not be precluded from communicating directly with a member of the decisionmaking body by application of ex parte communication prohibitions. Disclosure of such communications by a member of the decisionmaking body is not required, and such nondisclosure shall not be presumed prejudicial to the decision of the decisionmaking body. All decisions of the decisionmaking body in a quasi-judicial proceeding on local government **land** use matters must be supported by substantial, competent evidence in the record pertinent to the proceeding, irrespective of such communications.

(3) This section does not restrict the authority of any board or commission to establish rules or procedures governing public hearings or contacts with local public officials.

**History.**—s. 1, ch. 95-352; s. 31, ch. 96-324.

**ORDINANCE 2019 - 006**

**AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM RESIDENTIAL PROFESSIONAL TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, a petition has been submitted by the City of Fruitland Park as Owner, requesting that approximately 3.00 acres of real property generally located north of West Berckman Street south of West Fountain Street, east of Rose Avenue and west of College Avenue (the "Property") be rezoned from Residential Professional (RP) to Public Facilities District within the city limits of Fruitland Park; and

**WHEREAS**, the property has a future land use designation of Mixed Community as shown on the City of Fruitland Park's Comprehensive Plan Future Land Use Map; and

**WHEREAS**, the proposed zoning is consistent with the future land use designation.

**WHEREAS**, the required notice of the proposed rezoning has been properly provided; and

**WHEREAS**, the City Commission reviewed said petition, the recommendations of the Planning and Zoning Board, staff report and any comments, favorable or unfavorable, from the public and surrounding property owners at a public hearing duly advertised;

**NOW, THEREFORE, BE IT ORDAINED** by the City Commission of the City of Fruitland Park, Florida, as follows:

**Section 1. Rezoning.**

That the zoning classification of the following described property, being situated in the City of Fruitland Park, Florida, shall be hereafter be designated as **Public Facilities District** as defined in the Fruitland Park Land Development Regulations. The property is more particularly depicted in **Exhibit A** attached hereto and incorporated herein and more particularly described as:

Lots 13 – 24, inclusive, according to a Plat of a portion of Block 20, Fruitland Park, Lake County, Florida, filed April 30, 1926 and recorded in Plat Book 8, Page 95, Public Records of Lake County, Florida.

AND

That part of the West 335 feet of Block 20, a Map of the City of Fruitland Park, as recorded in Plat Book 3, Page 9, of the Public Records of Lake County, Florida, being described as follows:

A 30 foot Right of Way for Laurel Street, lying south of and abutting the south line of Lots 13 through 18 inclusive, of plat of a portion of Block 20, as recorded in Plat Book 8, Page 95, of the Public Records of Lake County, Florida, being bounded on the west by the East Right of Way line for Rose Avenue as shown on said Map of Fruitland Park and Bounded on the East by the east line of said West 335 feet of aforesaid Block 20. Being in Section 4, Township 19 South, Range 24 East, Lake County, Florida.

**A portion of Lake County Parcel Id. No. 04-19-24-1200-020-01300; Parcel Alternate Key No. 1430623**

Containing approximately 3.00 acres, more or less.

**Section 2. Zoning Classification.**

That the Property shall be designated as Public Facilities District in accordance with Land Development Code of the City of Fruitland Park, Florida.

**Section 3. Consistent with Comprehensive Plan.**

That the zoning classification is consistent with the Comprehensive Plan of the City of Fruitland Park, Florida.

**Section 4. Official Zoning Map.**

That the City Manager, or designee, is hereby directed to amend, alter, and implement the official zoning maps of the City of Fruitland Park, Florida to include said designation consistent with this Ordinance.

**Section 5. Severability.**

If any provision or portion of this Ordinance is declared by any court of competent jurisdiction to be void, unconstitutional, or unenforceable, then all remaining provisions and portions of this Ordinance shall remain in full force and effect.

**Section 6. Scrivener's Errors.**

Scrivener's errors in the legal description may be corrected without a public hearing or at public meeting, by re-recording the original ordinance or a certified copy of the ordinance and attaching the correct legal description.

**Section 7. Conflict.**

That all ordinances or parts of ordinances in conflict herewith are hereby repealed.

**Section 8. Effective Date.**

This Ordinance shall become effective immediately upon its approval and adoption by the City Commission of the City of Fruitland Park.

**PASSED AND ORDAINED** in regular session of the City Commission of the City of Fruitland Park, Lake County, Florida, this \_\_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Chris Cheshire, Mayor  
City of Fruitland Park, Florida

Attest:

Approved as to form and legality:

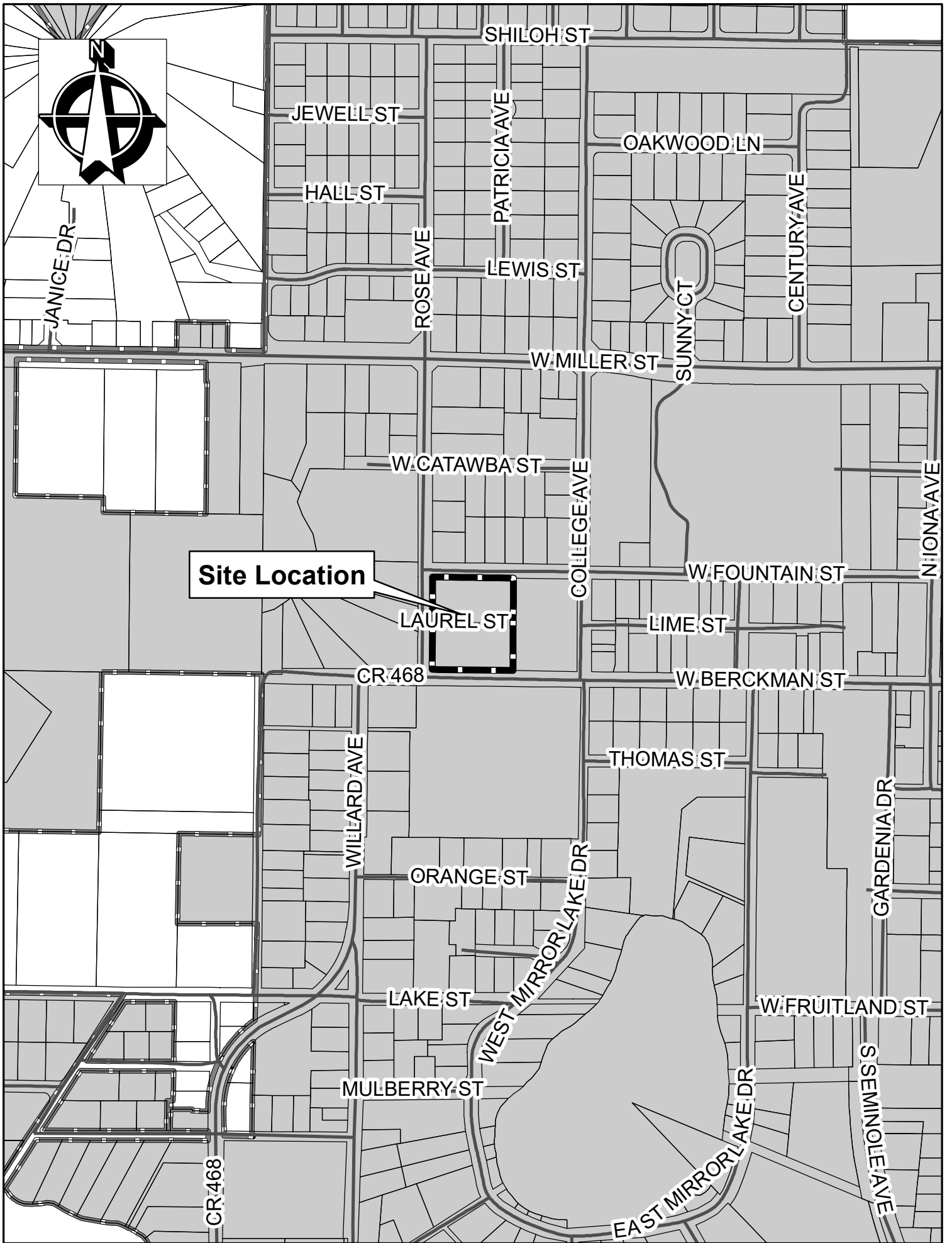
\_\_\_\_\_  
Esther B. Coulson, City Clerk

\_\_\_\_\_  
Anita Geraci-Carver, City Attorney

Mayor Cheshire \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Vice Mayor Gunter \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Bell \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner DeGrave \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)  
Commissioner Mobilian \_\_\_\_\_ (Yes), \_\_\_\_\_ (No), \_\_\_\_\_ (Abstained), \_\_\_\_\_ (Absent)

First Reading \_\_\_\_\_

Second Reading \_\_\_\_\_



**Site Location**

LAUREL ST

GR 468

SHILOH ST

JEWELL ST

HALL ST

LEWIS ST

W. MILLER ST

W. CATAWBA ST

W. FOUNTAIN ST

LIME ST

W. BERCKMAN ST

THOMAS ST

ORANGE ST

LAKE ST

MULBERRY ST

W. FRUITLAND ST

S. SEMINOLE AVE

CENTURY AVE

N. IONA AVE

WILLARD AVE

WEST MIRROR LAKE DR

EAST MIRROR LAKE DR

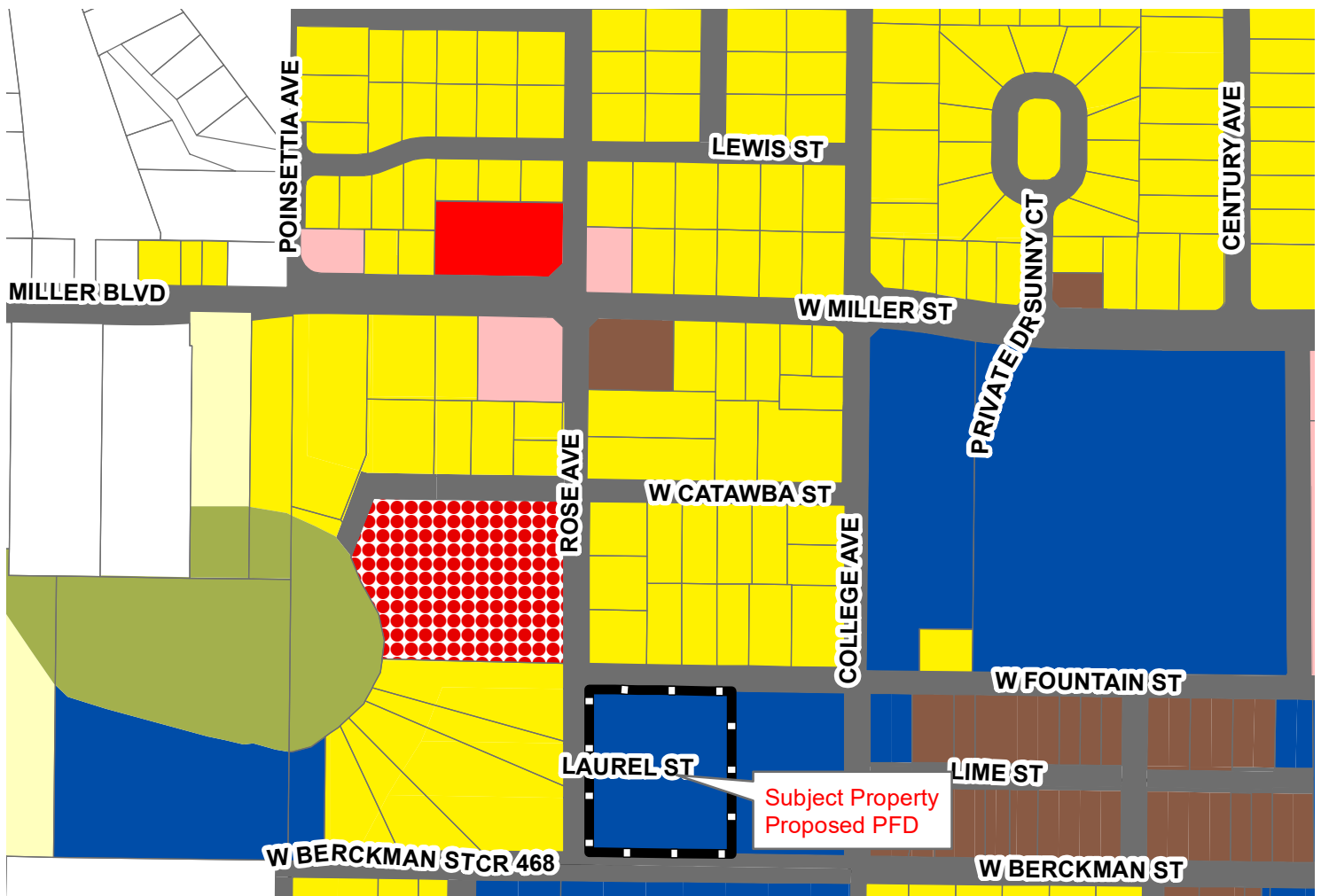
GARDENIA DR

JANICE DR

CR 468

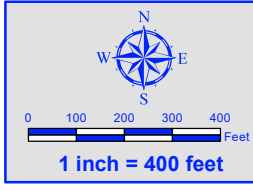






**Legend**

- Subject Property
- City of Fruitland Park Zoning**
- R-1, Residential Single Family Home - Low Density
- R-2, Residential Single Family Home - Medium Density
- R-2A, Medium Density Residential
- R-3, Multi-Family Residential - High Density
- R-3A, High Density Residential/Neighborhood Commercial
- RP, Residential Professional
- C-1, Neighborhood Commercial
- C-2, General Commercial
- IND, Industrial
- PUD, Planned Unit Development
- CPUD, Commercial Planned Unit Development District
- IND-PUD, Industrial PUD
- MPUD, Mixed Use PUD
- PFD, Public Facilities District
- GB, Green Belt District
- ROW, Right-of-Way



**City of Fruitland Park**  
**AK #1430623**  
 Lake County, Florida  
 Proposed Zoning - PFD

Project: 398-  
 File: Proposed Zoning.mxd  
 Name: City of FP  
 PM: Sherie Lindh  
 Date: June 9, 2019  
 Created By: J.Meier

**LPG Urban & Regional Planners, Inc.**  
 1162 Camp Avenue, Mount Dora, Florida 32757  
 Office: (352) 385-1940 / Fax: (352) 383-4824

# The Villages<sup>®</sup> DAILY SUN

Published Daily  
Lady Lake, Florida  
State of Florida  
County Of Lake

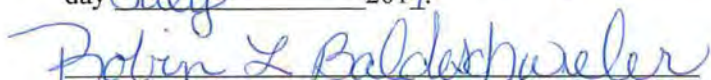
Before the undersigned authority personally appeared **Sheryl Dufour** who on oath says that she is Legal Ad Coordinator of the DAILY SUN, a daily newspaper published at Lady Lake in Lake County, Florida with circulation in Lake, Sumter and Marion Counties; that the attached copy of advertisement, being a **Legal Ad** in the matter of **NOTICE OF PUBLIC HEARINGS ORDINANCE 2019-0006**, was published in said newspaper in the issues of

**JULY 10, 2019**

Affiant further says that the said Daily Sun is a newspaper published at Lady Lake in said Lake County, Florida, and that the said newspaper has heretofore been continuously published in said Lake County, Florida each week and has been entered as second class mail matter at the post office in Lady Lake, in said Lake County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisements; and affiant further says that he has neither paid nor promised any person, firm, or Corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper.

  
(Signature Of Affiant)

Sworn to and subscribed before me this 10  
day July 2019.

  
Robin L. Baldeschwieler, Notary

Personally Known X or  
Production Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_

Attach Notice Here



## NOTICE OF PUBLIC HEARINGS

ORDINANCE 2019-006

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, REZONING 3+/- ACRES OF PROPERTY OWNED BY THE CITY OF FRUITLAND PARK FROM RESIDENTIAL PROFESSIONAL TO PUBLIC FACILITIES DISTRICT WITHIN THE CITY LIMITS OF FRUITLAND PARK; DIRECTING THE CITY MANAGER TO AMEND THE ZONING MAP OF THE CITY OF FRUITLAND PARK; PROVIDING FOR SEVERABILITY AND SCRIVENER'S ERRORS; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE.

The proposed Ordinance will be considered at the following public meetings:

- Fruitland Park Planning & Zoning Board Meeting on July 18, 2019 at 6:00 p.m.
- Fruitland Park City Commission Meeting on July 25, 2019 at 6:00 p.m.
- Fruitland Park City Commission Meeting on August 8, 2019 at 6:00 p.m.

The public meetings will be held in the Commission Chambers located at City Hall, 506 West Berckman Street, Fruitland Park, FL 34731. The proposed ordinance and metes and bounds legal description of property may be inspected by the public during normal working hours at City Hall. For further information call 352-360-6727. Interested parties may appear at the meetings and will be heard with respect to the proposed ordinance.



A person who decides to appeal any decision made by any board, agency or council with respect to any matter considered at such meeting or hearing, will need a record of the proceedings. For such purposes, any such person may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is based (Florida Statutes, 286.0105). Persons with disabilities needing assistance to participate in any of these proceedings should contact Esther Coulson, City Clerk at (352) 360-6790 at least 48 hours before the date of the scheduled hearing.

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 6a**

**ITEM TITLE:** City Manager's Report

**For the Meeting of:** July 25, 2019  
**Submitted by:** City Manager  
**Date Submitted:** July 14, 2019  
**Funds Required:** No  
**Account Number:** N/A  
**Amount Required:** N/A  
**Balance Remaining:** N/A  
**Attachments:**

**Item Description:**

- i. Economic Development Status Update
  
- ii. Public Safety Building

**Action to be Taken:**

**Staff's Recommendation:**

**Additional Comments:**

**City Manager Review:**

**Mayor Authorization:**

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 6b**

**ITEM TITLE:** City Attorney Report

**For the Meeting of:** July 25, 2019

**Submitted by:** City Attorney

**Date Submitted:** July 19, 2019

**Funds Required:** None

**Attachments:** None

**Item Description:** City Attorney Report

**Notice of Claim: James Hartson:** No developments to report. The civil allegation complained of allegedly would have occurred April 16, 2016.

**Notice of Claim: Michael Fewless:** State of Florida, Department of Management Services, Case No. 18-5787, Petition for Formal Administrative Hearing filed by Mr. Fewless challenging State's decision relating to FRS was held April 23, 2019. The City Manager was notified that Mr. Fewless prevailed in the matter. I will work with Mr. La Venia to reach out to attorney Glenn Thomas to discuss FRS refunding the City payments remitted.

**Burke's Bar-B-Q Co.:** The Complaint and necessary documents to file the lawsuit will be filed on Tuesday, July 23<sup>rd</sup>. A copy will be provided to the City Manager and City Clerk.

**Action to be Taken:** None.

**Staff's Recommendation:** N/A

**Additional Comments:**

**City Manager Review:**

**Mayor Authorization:**

**CITY OF FRUITLAND PARK  
AGENDA ITEM SUMMARY SHEET  
Item Number: 7**

**ITEM TITLE:** Public Comments  
**For the Meeting of:** July 25, 2019  
**Submitted by:** City Attorney  
**Date Submitted:** July 15, 2019  
**Funds Required:** None  
**Account Number:** N/A  
**Amount Required:** N/A  
**Balance Remaining:** N/A  
**Attachments:** Yes, Resolution 2013-023, Public Participation Policy

**Item Description:** This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Action may not be taken by the city commission at this meeting; however, questions may be answered by staff or issues may be referred for appropriate staff action.

Note: Pursuant to F.S. 286.0114 and the City of Fruitland Park's Public Participation Policy adopted by Resolution 2013-023, members of the public shall be given a reasonable opportunity to be heard on propositions before the city commission. Accordingly, comments, questions, and concerns regarding items listed on this agenda shall be received at the time the City Commission addresses such items during this meeting. Pursuant to Resolution 2013-023, public comments are limited to three minutes.

**Action to be Taken:** None

**Staff's Recommendation:** N/A

**Additional Comments:**

**City Manager Review:**

**Mayor Authorization:**

**RESOLUTION 2013 -023**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, PROVIDING FOR A PUBLIC PARTICIPATION POLICY WITH REGARD TO MEETINGS OF CITY BOARDS AND COMMISSIONS; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City Commission wishes to adopt a public participation policy for meetings of the City's boards and commissions; and

**WHEREAS**, the City Commission accordingly desires to pass this Resolution 2013-023 to do so.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF FRUITLAND PARK, FLORIDA, AS FOLLOWS:**

**Section 1.** The following Public Participation Policy shall apply to meetings of City boards or commissions as provided herein.

Sec. 1.        Citizen's Rights

(a)    Definition.        For the purposes of this section, "board or commission" means a board or commission of the City of Fruitland Park.

(b)    Right to be Heard:    Members of the public shall be given a reasonable opportunity to be heard on a proposition before a City board or commission except as provided for below. Public input shall be limited to three (3) minutes. This right does not apply to:

1.        An official act that must be taken to deal with an emergency situation affecting the public health, welfare, or safety, if compliance with the requirements would cause an unreasonable delay in the ability of the board or commission to act;
2.        An official act involving no more than a ministerial act, including, but not limited to, approval of minutes and ceremonial proclamations;
3.        A meeting that is exempt from §286.011; or
4.        A meeting during which the Commission is acting in a quasi-judicial capacity. This paragraph does not affect the right of a person to be heard as otherwise provided by law.

Sec. 2.        Suspension and Amendment of these Rules

(a)    Suspension of these Rules: Any provision of these rules not governed by the City Charter or City Code may be temporarily suspended by a vote of a majority of the Commission.

(b)    Amendment of these Rules: These rules may be amended or new rules adopted by resolution.

- (c) Effect of Variance from Rules: The failure to follow this Public Participation Policy shall not be grounds for invalidating any otherwise lawful act of the City's boards or commissions.

**Section 2.** If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion of this Resolution.

**Section 3.** This Resolution shall become effective immediately upon passage.

**RESOLVED** this 26 day of September, 2013, by the City Commission of the City of Fruitland Park, Florida.



Christopher J. Bell, Mayor

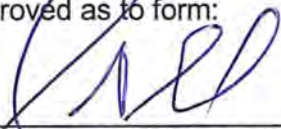
ATTEST:

  
MARIE AZZOLINO, Acting City Clerk

Passed First Reading 9/26/2013

Passed Second Reading N/A

Approved as to form:

  
SCOTT A. GERKEN, City Attorney